

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA)
ex rel.)
JAMES HOHM)
)
Plaintiffs,)
)
)
NORTHLAND ASSOCIATES, INC.,)
NORTHLAND/JDS CONSTRUCTION,)
JAMES M. TYLER, and THE)
DIVERSE CONSTRUCTION)
GROUP, LLC,)
)
Defendants.)

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED
APR 30 2018
LAWRENCE K. BAERMAN, CLERK
ALBANY
CASE NO.: 5:18-CV-516
GTS/TWD
(FILED UNDER SEAL)

QUI TAM COMPLAINT

This is an action brought by Relator James Hohm ("Relator") on behalf of the United States of America pursuant to the False Claims Act, 31 U.S.C. § 3729, *et seq.* ("FCA"). In support thereof, Relator alleges the following:

I. INTRODUCTION

1. Beginning in or about November 2007, Defendants Northland Associates, Inc. ("Northland"), JDS Construction ("JDS" and post-1993 "Northland/JDS"), James M. Tyler ("Tyler") and The Diverse Construction Group, LLC ("Diverse") (collectively "Defendants") engineered a "rent-a-vet" scheme designed to fraudulently win construction business contracts that the Small Business Administration ("SBA") set-aside for 1) small businesses owned by veterans who became disabled while serving their country, 2) HUBZone companies, and 3) small businesses.

2. As detailed herein, Defendants circumvented the SBA requirements for winning lucrative Service-Disabled Veteran-Owned Small Business Concern (“SDVOSBC”), HUBZone, and small business set-aside contracts and task orders by using a fictitious bidder. Defendants’ fraudulent scheme was to use Diverse, an allegedly separate and SDVOSBC-qualified entity, “owned” by service-connected disabled veteran Hunter Grimes’s (“Grimes”), to bid on and win set-aside contracts so that Northland and Northland/JDS, which are indisputably not qualified small businesses, could control and profit from the projects.

3. From 2008 until Grimes’ death in 2015, Defendants deprived the United States of the benefit of more than \$57 million in small business set-aside contracts and task orders, which were intended to foster the growth and development of small businesses owned and controlled by veterans injured in the service of their country.

4. The FCA provides that any person who knowingly submits or causes to be submitted to the Government a false or fraudulent claim for payment or approval is liable for a civil penalty for each such claim submitted, and three times the amount of the damages sustained by the Government. The FCA permits persons having information regarding a false or fraudulent claim against the Government to bring an action on behalf of the Government and to share in any recovery. The complaint must be filed under seal, without service on the Defendants. The complaint remains under seal while the Government investigates the complaint’s allegations and determines whether to join the action.

5. Pursuant to the FCA, Relator seeks to recover on behalf of the United States damages and civil penalties arising from Defendants’ purposeful submission of false and fraudulent claims and certifications to the Government.

II. JURISDICTION AND VENUE

6. This action arises under the FCA. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331, 28 U.S.C. § 1345 and 31 U.S.C. § 3732(a), which specifically confers jurisdiction on this Court for actions brought under 31 U.S.C. § 3730.

7. This Court has personal jurisdiction over Defendants pursuant to 31 U.S.C. § 3732(a), which authorizes nationwide service of process, because Defendants can be found in, reside in, transacted business in and/or have committed the alleged acts in the Northern District of New York.

8. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)-(c) and 31 U.S.C. § 3732(a) because all the Defendants can be found in, reside in or have transacted business in the Northern District of New York, and many of the alleged acts occurred in this District.

9. Relator knows of no other FCA complaints that have been filed against Defendants alleging the same or similar actions. Additionally, Relator learned of all the conduct underlying these allegations through personal experience and conversations with colleagues. Accordingly, Relator is an original source as defined in 31 U.S.C. § 3730(e)(4)(B). Relator made voluntary disclosures to the United States prior to the filing of this lawsuit.

III. PARTIES

10. The real party in interest in this case is the United States (also referred to herein as the “Government”). The Government, through the SBA programs, solicited proposals from small businesses and awarded the contracts and task orders at issue in this action. As described more fully below, the Government set-aside those contracts for small businesses to foster the development of the small businesses, including those owned by economically and socially

disadvantaged individuals, and by veterans who became disabled while serving in the U.S. military.

11. Relator, James Hohm, is a resident of Memphis, New York. He worked in the building construction trade for 30 years. His duties fluctuated from general laborer to site supervisor. Relator worked for JDS from 1985 through 1993. In 1993, Northland purchased JDS and Relator continued working for Northland/JDS. Beginning in 2008 and continuing through 2015, Northland/JDS senior management assigned Relator to work on projects awarded to Diverse by the Government. Relator ceased working for Defendants in 2015.

12. Defendant, Northland Associates, Inc., is a general contractor engaged in the building construction industry and is headquartered at 4701 Buckley Road, Liverpool, New York 13088. Northland was started in 1982 and is a privately held New York corporation founded by brothers James and Thomas Tyler.

13. Defendant, Northland/JDS, is co-located with Northland at 4701 Buckley Road, Liverpool, New York 13088.¹ The company was founded by John D. Schmidt of Pompey, New York and was originally known as JDS Construction. In 1993, JDS Construction was purchased by and operated as a division of Northland. The operations manager primarily responsible for Northland/JDS is James Shanahan ("Shanahan").

14. Defendant, James M. Tyler, ("Tyler") of 108 County Route 84, West Monroe, New York is the 70-year old co-founder and current President of Northland. Tyler is active in all aspects of running the company.

15. Defendant, Diverse, was founded in November 2007 as an LLC by Grimes who is a service-disabled United States Navy veteran. Grimes passed away in September 2015. On

¹ Northland/JDS is a wholly owned division of Northland where management overlaps both Northland and Northland/JDS. References to "Northland" herein refer collectively to both Northland and Northland/JDS.

paper, Grimes owned and controlled 51% of Diverse while seven Northland employees, one of whom was a first cousin to Tyler, owned the other 49% of the company. Diverse purported to provide general contracting building construction services to the Government, winning approximately \$57 million in set-aside contracts through the SBA set-aside programs from 2008 through 2015.

IV. REGULATORY OVERVIEW

A. The Service-Disabled Veteran-Owned Small Business Procurement Program

16. The Veterans Benefits Act of 2003 (the “Act”) created a procurement program for small business concerns owned and controlled by service-disabled veterans or “SDVOSBCs”. 48 C.F.R. § 19.1401(a). The procurement program’s purpose is to provide federal contracting assistance and opportunities to SDVOSBCs in recognition of their owners’ service to their country. 48 C.F.R. § 19.1401(b).

17. Under the Act, government contracting officers may award contracts and task orders based on bids solicited only from SDVOSBCs. 15 U.S.C. § 657f; *see also* 48 C.F.R. § 6.206 (“To fulfill the statutory requirement of the [Act], contracting officers may set-aside solicitations to allow only [SDVOSBCs] to compete”). Contracts and task orders whose solicitations limit participation to SDVOSBCs are generally referred to as being “set-aside.”

18. Contracting officers may restrict competition to solely SDVOSBCs so long as they have a reasonable expectation that at least two SDVOSBCs will submit bids and that the award can be made at a fair market price. 15 U.S.C. § 657(f).

19. A small business is potentially eligible to bid as an SDVOSBC on set-aside contracts and task orders if it meets the following ownership, control, and size criteria:

- a) The business is majority-owned (not less than 51%) by one or more service-disabled veterans;
- b) One or more service-disabled veterans or, in the case of a service-disabled veteran with a permanent and severe disability, the spouse or permanent caregiver of such veteran, control the management and daily business operations; and
- c) At the time of the contract offer, the business is “small” within the size standard corresponding to the North American Industry Classification System (“NAICS”) code assigned to the industry. 13 C.F.R. §§ 125.8, 125.11.

20. To satisfy the ownership criteria, a small business concern is “owned” by service-disabled veterans when one or more service-disabled veterans have direct and unconditional ownership of that concern. 13 C.F.R. § 125.12(a). In the case of partnerships and limited liability companies, service-disabled veterans must own at least 51% of each class of partnership or membership interest. 13 C.F.R. § 125.12(b).

21. To satisfy the control criteria, a small business concern is “controlled” by service-disabled veterans when one or more service-disabled veterans (or in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran) conducts both the concern’s long-term decision-making and its day-to-day management and administration of business operations. 13 C.F.R. § 125.10(a).

22. To satisfy the size criteria, a small business concern is “small”, and therefore eligible for federal small business programs and preferences, when it meets the SBA’s size standards. 13 C.F.R. § 125.11(a). These standards have been developed for different industries under NAICS. *Id.* For industrial, commercial, and institutional building construction, the most common NAICS industry category utilized in this case, the regulatory size standard is \$36.5

million in annual receipts. 13 C.F.R. § 121.201. An industrial, commercial, and institutional building construction entity that, in conjunction with its affiliates (as described below), has annual receipts greater than \$36.5 million is ineligible to compete for, or to be awarded, SDVOSBC set-aside contracts. *Id.*

23. An SDVOSBC may have affiliates, provided that the aggregate size of the SDVOSBC and all its affiliates is still “small” as defined by the regulations. 13 C.F.R. § 125.15. For example, an industrial, commercial, and institutional building construction small business concern owned by service-disabled veterans is not an SDVOSBC when it is affiliated with an entity that generates more than \$36.5 million a year in revenue on its own or more than \$36.5 million when combined with the revenue of the small business concern and/or other affiliates.

24. Entities are “affiliates” of each other when one entity controls, or has the power to control, the other. 13 C.F.R. § 121.103(a). Affiliation is determined by the totality of the circumstances, considering factors such as ownership, management, previous relationships or ties to the other entity, and contractual relationships. *Id.*

25. For example, entities may be affiliated through common management when one or more of the officers, directors, managing members or partners who control the board and/or management of a concern also control the board and/or management of another concern. 13 C.F.R. § 121.103(e).

26. For purposes of affiliation, control can be both affirmative and negative. “Negative control includes, but is not limited to, instances where a minority shareholder has the ability, under the concern’s charter, by-laws, or shareholder’s agreement, to prevent a quorum or otherwise block action by the board of directors or shareholders.” 13 C.F.R. § 121.103(a)(3).

27. When an SDVOSBC is the prime contractor on an SDVOSBC general construction contract, it may subcontract part of the contract, if it spends at least 15% of the total personnel cost on the concern's employees or the employees of other SDVOSBCs. 13 C.F.R. § 125.6(a)(3). When the SDVOSBC is the prime contractor on an SDVOSBC contract for construction by special trade contractors, it must spend at least 25% of its personnel costs on its employees or the employees of other SDVOSBCs. 13 C.F.R. § 125.6(a)(4).

28. An SDVOSBC must meet several requirements to submit an offer on a set-aside contract. Specifically, the SDVOSBC must represent: (a) that it is indeed an SDVOSBC; (b) that it is "small" as defined by the regulations; (c) that it will meet the percentage of work cost expenditures for subcontracting; and, if applicable, that it is an eligible joint venture and/or non-manufacturer. 13 C.F.R. § 125.18(a).

29. All bids, proposals, and applications for any SDVOSBC award are deemed to be self-certifications of SDVOSBC status. 13 C.F.R. § 125.15; 13 C.F.R. § 125.32(a)(b)(1). Additionally, a contractor's registration as a qualified SDVOSBC on any federal electronic database for competing for SDVOSBC contracts is deemed a certification. 13 C.F.R. § 125.32(a)(b)(3). Finally, a signed certification representing SDVOSBC status must be included on all submissions during a SDVOSBC bid process. 13 C.F.R. § 125.32(c).

30. SDVOSBC status is an express condition of payment for SDVOSBC set-aside contracts. Each SDVOSBC set-aside contract contains provisions specifying that: "Offers are solicited only from service-disabled-veteran-owned small business concerns. Offers received from concerns that are not service-disabled-veteran-owned small business concerns shall not be considered. Any award resulting from this solicitation will be made to a service-disabled-veteran-owned small business concern." 48 C.F.R. § 52.219-27(c).

31. To protect the integrity of the SDVOSBC set-aside program, fraud involving the program is expressly actionable under the FCA. 13 C.F.R. § 125.32(e)(2).

B. SBA HUBZone Program

32. The Historically Underutilized Business Zones (“HUBZone”) set-aside program was enacted as part of the Small Business Reauthorization Act of 1997. The program is designed to promote economic development and employment growth within designated distressed areas. Additionally, the rules establish contract award preferences for Government procurement so long as a business meets the program’s stringent criteria.

33. Similar to the SDVOSBC program, the HUBZone program requires that a “concern, together with its affiliates...qualify as a small business under the size standard corresponding to its primary industry classification” as defined in 12. C.F.R. § 121.201. 13 C.F.R. § 126.200(b)(2). Therefore, the same annual receipts limitations referenced above applies to the HUBZone program for industrial, commercial, and institutional building construction companies. 13 C.F.R. § 121.201. The concern together with its affiliates must meet the size standards at the time of initial application for certification as well as at the time of initial contract offer. 13 C.F.R. § 126.203.

34. The HUBZone program applies the same principles for establishing affiliates as cited above for the SDVOSBC program. 13 C.F.R. § 121.103(a)(1). Affiliation is based on control and determined by the totality of the circumstances, considering factors such as ownership, management, previous relationships or ties to the other entity, and contractual relationships. 13 C.F.R. § 121.103(a). For example, entities may be affiliated through common management when one or more of the officers, directors, managing members or partners who control the board and/or management of a concern also control the board and/or management of

another concern. 13 C.F.R. § 121.103(e). “Control means both the day-to-day management and long-term decision-making authority.” 13 C.F.R. § 126.202.

C. SBA Set-Asides for Small Businesses

35. In addition to setting aside contracts for the SDVO and HUBZone socio-economic categories, the SBA can limit competition for certain contracts to just small businesses. FAR 19.501. “The purpose of small business set-asides is to award certain acquisitions exclusively to small business concerns. A ‘set-aside for small business’ is the reserving of an acquisition exclusively for participation by small business concerns. A small business set-aside may be open to all small businesses.” FAR 19.501(a)

36. Like the SDVOSBC and HUBZone programs, “[a]ll solicitations involving set-asides must specify the applicable small business size standard and NAICS code (see 19.303).” FAR 19.501(f). FAR 19.303 in turn states that the “contracting officer shall determine the appropriate North American Industry Classification System (NAICS) code and related small business size standard and include them in solicitations.” FAR 19.303(a)(1). For example, if the contracting office selected the same industrial, commercial, and institutional building construction category referenced above, then the NAICS size standard is \$36.5 million in aggregate annual receipts for the small business and its affiliates. 13 C.F.R. § 121.201. The same affiliate standards cited above apply to small business set-asides. 13 C.F.R. § 121.103(a).

V. FACTUAL ALLEGATIONS

37. From 2008 through the present day, Defendants made numerous false certifications and affirmative misrepresentations to the Government to conceal the fact that Diverse did not meet the express conditions of payment for SBA set-aside contracts and task orders. In reality, Diverse was a shell company and Grimes was a mere figurehead service-

connected disabled veteran with no operational control over Diverse. As detailed below, Diverse was created, controlled, and operated by Northland employees for the express purpose to fraudulently secure lucrative set-aside contracts through a deceptive rent-a-vet scheme.

A. Defendants Falsely Certified Diverse as an SDVOSBC, HUBZone company, and Small Business to win Lucrative Set-Aside Contracts and Task Orders.

38. Relator began working for Northland in 1993 when it purchased JDS, thus he has long-term, extensive familiarity with its operations. Relator worked numerous Northland projects across New York spanning the federal, state, and private sectors.

39. Northland is indisputably not “small” as defined by governing regulations. 13 C.F.R. § 125.15. According to Northland: “[w]e have worked on stadiums, resorts, schools, hospitals, prisons, hangars, office buildings, parking garages, athletic facilities, convention centers, multi-unit housing, retail centers, laboratories, border crossings, museum exhibits, airports and more. We have constructed projects with values in excess of \$50 million and small repair projects.” (Exhibit A, Northland Corporate brochure).

40. During the first fifteen years of Relator’s Northland career, the company competed for and won tens of millions of dollars’ worth of GSA contracts. In a 2009 GSA filing, Northland acknowledged that it had 100 employees and annual revenue of \$50 million. (Exhibit B, GSA contract data with highlights added on pages 1 and 3). Additional GSA data shows that from 1985 to the end of 2007, Northland received approximately \$157 million in federal government contracts. (Exhibit C, GSA data pull for Northland). In 2007 alone, Northland received approximately \$53.5 million in federal construction awards. *Id.* Finally, from 2007 to the present, Northland continued to be listed as “other than small business,” when modifications were made to existing Northland contracts and entered into the GSA database.

(Exhibit D, GSA contract information for Northland reflecting Size Determinations in the years 2007-2010 with highlights added).

41. Ultimately, the above numbers merely reflect federal contract awards and do not include the tens of millions of dollars won annually in the state and private sectors. Therefore, Northland could not qualify as “small” because its annual revenues far exceeded the regulatory annual receipts maximums of \$15 million and \$36.5 million for the NAICS industry codes connected to the set-aside contracts detailed below. 13 C.F.R. § 125.15.

42. Northland circumvented the governing regulations by forming Diverse in 2007 with Grimes serving as the rent-a-vet figurehead. On paper, Grimes owned 51% of the company and would control the projects, while seven Northland employees owned 49%. In reality, Northland employees were to control Diverse’s operations and profits, and Grimes was to have little or no operational control. Defendants therefore falsely certified to the SBA that Diverse was an SDVOSBC seeking an SDVO contractual relationship with the United States government when it initially registered for participation in the Government’s Central Contractor Registration (“CCR”) and/or Online Representations and Certifications Applications (“ORCA”) databases. Further, Defendants repeated this false certification on a roughly semi-annual basis to maintain the database registrations and compete for SBA set-aside contracts and task orders.

43. Upon achieving SDVOSBC status, Diverse ramped up its bidding on SBA set-aside contracts while Northland wound down its GSA work. (See Table 1 below) On June 13, 2008, Diverse won its first SDVOSBC set-aside contract, an addition to the parking garage of the VA Medical Center in Syracuse (contract ID #VA101183B4C0031). The value of the contract was approximately \$10.2 million. That same year Northland experienced a corresponding drop in federal contracts; falling from \$53.5 million to approximately \$1 million.

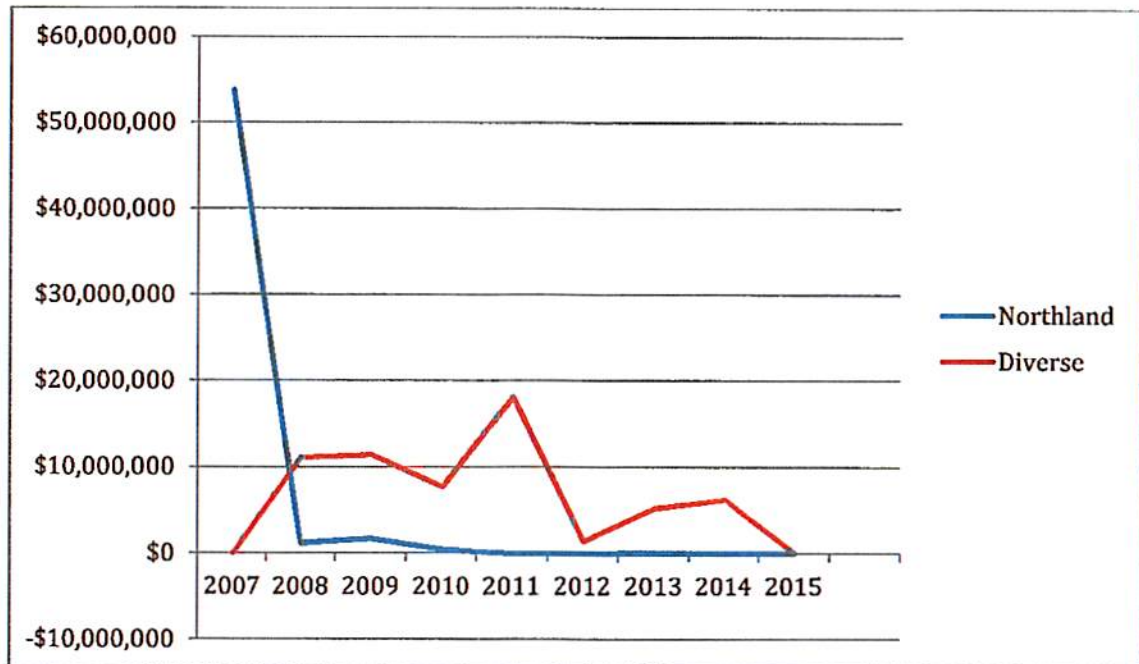


Table 1. Northland and Diverse Contract Award Comparison

44. By 2010, Northland ceased receiving new federal contracts as it was busy working large private and state contracts and servicing existing federal contract modifications, while its fraudulent shell Diverse handled new SBA projects. This pattern continued until Grimes passed away from cancer in the fall of 2015. In June 2017, Northland in a joint venture with Cianbro Corporation of Maine, won a \$215 million federal award for the border crossing project at Alexandria Bay, New York. (See Exhibit E, GSA Publication from January 2018 Update).

B. Grimes Misrepresented Diverse to the SBA and the SBA Office of Hearings and Appeals in 2009.

45. In 2009, Diverse won HUBZone set-aside contract ID # W912PQ09C0045 valued at \$9,305,882. This contract involved a construction project at Fort Drum, New York. After the award was given to Diverse, a HUBZone-qualified bidder, Con Tech Building Systems, Inc. (“ConTech”), lodged a protest with the SBA. ConTech alleged that Diverse was not qualified to

bid because it was improperly affiliated with Northland. (*See* Exhibit F, SBA Size Appeal of Diverse Construction Group, LLC, SBA No, SIZ-5112 (2010)).

46. Ultimately, the SBA Contract Officer (“CO”) dismissed the protest, however, at the same time the CO requested a formal size determination for Diverse. *Id* at 2. Upon completing its assessment in November 2009, the SBA’s Area Office (“AO”) determined under the totality of circumstances test that Diverse was not small as defined under the SDVOSBC program. *Id*. Additionally, the AO found that Diverse was owned 51% by Grimes and 49% by seven Northland employees. Furthermore, the AO found that Diverse won five-SBA set-aside awards over the 2-year period from its foundation in 2007 through 2009. *Id*. Importantly, the record indicated that all five projects involved a contractual relationship between Diverse and Northland. *Id*. at 3.

47. Diverse appealed the AO findings. Grimes submitted a declaration asserting that:

- a) Diverse is not controlled by Northland;
- b) Diverse receives no financial or other assistance from Northland;
- c) Diverse is in no way reliant upon Northland;
- d) There is no common ownership or management between the two companies; and
- e) The two companies share no employees.

Id. at 3-4.

48. Furthermore, Grimes asserted that by the end of 2009, all contractual relationships between Diverse and Northland were going to cease as the work will have been performed, “and there will be no ongoing work or revenues exchanged between the two concerns.” *Id*. at 4.

49. The administrative judge reversed the SBA size determination and concluded there were insufficient ties between Diverse and Northland. The opinion concluded that the AO erred in finding an affiliation under both the identity of interest and the totality of the circumstances standards. The administrative judge’s findings of fact were:

- a) Seven Northland employees together own 49% of Appellant. These individuals have no ownership interest in Northland and are not key employees of Northland.
- b) Appellant is managed by its 51% owner, Mr. Grimes, who has sole and exclusive right to manage the firm's business and has no prior connection with Northland.
- c) Appellant has received two subcontracts from Northland, which constitute approximately 9.5% of Appellant's receipts to date.
- d) Appellant has granted two subcontracts to Northland on contracts represents [sic] 48.1% and 37.4% of the value of these contracts.
- e) Appellant and Northland have no common ownership, management, facilities, equipment, or employees. Northland has provided Appellant with no financial assistance, indemnification or bonding, and the two firms have never entered into a Joint Venture or Teaming Agreement.

Exhibit F at 7.

50. Relator has direct firsthand knowledge that points a, b, and e were factually inaccurate and based on affirmative misrepresentations made by Grimes to the SBA to conceal Defendants' rent-a-vet scheme.

C. Diverse was Controlled and Operated by Northland.

1. Defendants created a Shell Office for their Shell Company.

51. The 2009 SBA size determination and subsequent appeal generated concern amongst Defendants that their rent-a-vet scheme might be uncovered. Therefore, Defendants undertook steps to conceal their ongoing deception from the Government.

52. First Diverse changed its reported physical address on the set-aside contract bids. Since its foundation through March 2010 Diverse reported to the Government its physical address as 27115 Limestone Road, Redwood, New York. (Exhibit G, GSA data with highlighted

row showing change²). This address was a 26-acre wooded undeveloped plot of land that was owned by Grimes and his wife, Martha. The photograph below depicts the wooded lot in Redwood.



Photograph 1. 27115 Limestone Road, Redwood, New York

53. However, in March 2010, coincidentally one month after the SBA appeal decision, Diverse reported a new address: 25968 State Road 26, Plessis, New York. This Plessis address first appeared on a SDVOSBC contract ID # VA528RA0731, which was valued at \$1.24 million. Below is a photograph of the Plessis location.

² Subsequent references to the Redwood address in the GSA data all pertain to modifications of contracts that pre-existed the March 2010 change to Plessis.



Photograph 2. 25968 State Road 26, Plessis, New York

54. Relator contends this change of address resulted out of concern that Defendants felt they were vulnerable to Government scrutiny. Thus, the change from an undeveloped lot in Redwood to a former auto repair shop in Plessis afforded Defendants with partial cover for their shell company.

55. However, Defendants recognized they were still susceptible to an on-site government audit of the Plessis office. This vulnerability resulted from the fact that since its inception in 2007, all Diverse business records were stored at Northland's headquarters in Liverpool. Thus, shortly after securing the Plessis location, Defendants moved copies of Diverse business records from Liverpool to Plessis. Relator recalls that those records were transported by Northland employee Jason Franklin ("Franklin"), a Northland administrative employee, under orders from Tyler.

56. Next, Northland hired an administrative employee for the shell office. Relator recalls this employee was named Christina. She was hired to answer telephones and to serve as Diverse's sole employee that was assigned to work out of the Plessis location. Christine rarely

interacted with Defendants' staff, and in fact, all Diverse personnel, administrative, and operational project decisions emanated from Northland's Liverpool office.

2. Northland Supplied Diverse with Administration Support, Employees, and Equipment.

57. As alleged above, Grimes made multiple false assertions during the SBA appeal. One of the more blatantly false statements was that Diverse and Northland did not share "management, facilities, equipment, or employees." (Exhibit F at 3). Relator witnessed firsthand Northland providing Diverse with administration support, supervisory personnel, on-site construction crews, and equipment.

a) Administrative Support

58. Northland's corporate office was the de facto nerve center for Diverse as all headquarters, supervisory personnel, and administrative activities originated from Liverpool. Exhibit H depicts a schematic prepared by Relator of the Northland corporate office showing the employees and their respective responsibilities within Defendants' companies. Northland provided Grimes with a small office equipped with a white plastic folding table. On the rare occasion when Grimes traveled to Liverpool, he used the office merely to sign documents that furthered his figurehead role. Northland's corporate internal mailboxes were adjacent to Franklin's office and they also included a mail slot for Grimes.

59. Relator interacted daily with multiple headquarter supervisors including Michael McKenna ("McKenna"), Shanahan, and Scott Johnson ("Johnson"). Although these three individuals worked for Northland, they exercised direct operational control over Diverse's projects.

60. Northland's Chief Estimator, Ron Burlin ("Burlin"), was responsible for preparing Diverse's bid responses for SBA set-aside contracts. On one occasion, Relator

observed Burlin mistakenly prepare an SDVOSBC set-aside response on Northland letterhead. Upon noticing the mistake, Burlin chuckled, and then changed the letterhead to Diverse. Shortly thereafter, Burlin submitted the bid documents to the Government on Diverse's behalf.

Currently, Burlin is listed as the contact for Diverse at internet website:

<https://govtribe.com/vendor/the-diverse-construction-group-llc-alexandria-bay-ny>.

61. Franklin prepared and distributed payroll checks for all Defendants' employees, including Diverse. Checks were distributed on a weekly basis to field personnel in three ways: a) checks picked up at the Northland office by employees, b) checks sent by courier to project location, or c) checks distributed by supervisors.

62. If employees working on Diverse projects encountered payroll issues, they were required to contact Franklin or Gale Snyder ("Snyder"), another Northland administrative employee.

63. Relator witnessed such an incident when a Northland administrative employee directly managed payroll operation in 2010 while working at Castle Point, which was a Diverse SDVOSBC set-aside contract project in Wappingers Falls, New York. Long-time Northland employee, John Brown ("Brown"), told Relator that Brown had substantial payroll issues, including missing hours. In an effort to resolve the issues, Brown had to call Snyder multiple times. Relator vividly recalls this incident because Shanahan called Relator to complain about Brown, stating to Relator, "we don't pay people to talk on the phone."

64. Below, figures 1 and 2 depict Relator's paystubs from the week ending January 16, 2011. This period covered time when Relator worked on the Castle Point project mentioned above. Relator's Northland paystub is figure 1 and it shows his employee ID number, 1116

(located to the left of Relator's name). Figure 2 depicts Relator's Diverse payroll employee ID number, 30037 (also located to the left of Relator's name).

CO.	1116	HOHM, JAMES C	999JR	1/16/11	2731	11203	NET PAY
EARNINGS							
DESCRIPTION	HOURS	RATE	AMOUNT	DESCRIPTION	AMOUNT	CD	TRAVEL PAY
REGULAR PAY	38.50	27.170	1046.05	2ND 401K LOAN	255.54		DUTCHESS COUNT
				INCOME EXECUTIO	314.95		TAXABLE
				MEDICAL REB. PL	30.76		NON-TAXABLE
				MEDICAL INSURAN	75.00		
				HSA - EMPLOYEE	12.50		ADJUSTMENTS
							TAXABLE
							NON-TAXABLE
CURRENT	927.79	13.55	52.42	25.16	.00	.60	
YTD.	1734.24	13.55	97.98	37.53	.00	1.80	
	TAXABLE GROSS EARNINGS	FEDERAL WITHHOLDING TAX	F.I.C.A.	STATE TAXES	LOCAL TAXES	S.D.I.	

Figure 1 Northland Paystub for Castle Point

CO.	30037	HOHM, JAMES C	999	1/16/11	2152	200802	NET PAY
EARNINGS							
DESCRIPTION	HOURS	RATE	AMOUNT	DESCRIPTION	AMOUNT	CD	TRAVEL PAY
REGULAR PAY	8.00	27.170	217.36				CHESSA-ARP-
							NON-TAXABLE
							ADJUSTMENTS
							TAXABLE
							NON-TAXABLE
CURRENT	217.36	.00	12.28	.00	.00	.60	
YTD.	1273.12	25.96	71.93	22.13	.00	1.80	
	TAXABLE GROSS EARNINGS	FEDERAL WITHHOLDING TAX	F.I.C.A.	STATE TAXES	LOCAL TAXES	S.D.I.	

Figure 2 Diverse Paystub for Castle Point

65. Although Relator only worked the single Castle Point project during that pay period, Defendants split Relator's paychecks between the two companies because Diverse did not offer Relator health or 401k plans at that time. Thus, Defendants paid Relator via a Northland check to ensure continued funding for both health and retirement accounts.

66. Importantly, the paystubs' physical similarities are consistent with originating from a single source. In comparing the documents, the following are identical: 1) font style, 2)

font size, 3) format of the form, 4) format of name and dates, 5) presence of a similar stamped word located in the same place on the form (below Travel Pay), and 6) Relator is paid the same hourly rate, to the cent, for both companies. These similarities are consistent with Northland's control over Diverse payroll operations.

67. Defendants also issued separate W2 and 401k program documents. However, again like payroll, the documents for Diverse were prepared and managed by Northland employees. Thus, the physical similarities between Relator's W2 forms from each Defendant company are again consistent with originating from a single source. Exhibit I contains Relator's Federal W2s covering the years 2009, 2012, 2013 and New York State Tax Form IT-2-Summary of W-2 Statements from 2010 for both Defendant companies.

68. There are striking physical similarities between Relator's W2 forms from each Defendant company. First, the print font for 2012 and 2013 are the same for both companies. Second, the print font for 2009 matches both companies and is different from 2012 and 2013. Third, the use of all-caps, the formatting, and spacing of Relator's name and the formatting of business and Relator's addresses are identical across both companies for 2009. Finally, both companies submitted hard copy forms in 2012, whereas both companies utilized an e-file form in 2013.

b) Employees

69. Relator identifies at three Diverse SDVOSBC set-aside contracts representative of projects where Relator was assigned to Northland field crews while allegedly working for Diverse. On each project, Northland supplied the employees, at times directly paid employee salaries with Northland checks, and reimbursed employee field expenses with Northland funds, while the jobs themselves were secured through Diverse's SDVOSBC status.

70. Castle Point Veteran's Affairs Medical Center, Wappinger Falls, New York. This contract was awarded to Diverse on September 24, 2008, under SDVOSBC contract ID #VA243C0413 with a total contract value of \$7,208,135. The on-site project superintendent, Lee Weight, ("Weight") was a long-time employee for Northland. McKenna served as project manager and he issued instructions and guidance from Northland's Liverpool office. Additionally, Todd Blair ("Blair"), another long-time Northland employee, served as on-site foreman. Besides McKenna and Weight, Blair also reported to Shanahan. Relator worked with approximately 20 other Northland employees, including: Simon Lam, Brown, Jeff Case, Bob Piazza ("Piazza"), Brian Willis ("Willis") and Tom Powell ("Powell"). While on this project, Relator and other employees stayed at a Quality Inn Hotel, which is located at 849 NY-52, Fishkill, NY 12524. Northland reimbursed Relator for all travel and lodging costs associated with this project. Relator was continuously on this project from start to finish. Relator recalls that Grimes seldom appeared on the job site and did not engage in any operational control from Relator's observation.

71. Veterans Affairs Hospital-Albany, New York. This contract was awarded to Diverse on May 21, 2010, under SDVOSBC contract ID #VA528RA073 with a total contract value of \$1,215,320. Weight was the project superintendent and additional Northland employees were Relator, Piazza, Willis, Powell, and Warren Newman. The employees, including Relator, stayed at the Quality Inn, which is located at 1632 Central Ave, Albany, NY 12205. Northland reimbursed Relator for all travel and lodging costs associated with the contract. Northland employees, including Relator, built prefabricated framing at the Liverpool site and then shipped the framing to Albany for installation. Northland purchased the materials for the framing at two nearby stores located on Buckley Road in Liverpool: Kamco and C&R Supply. Relator and

other employees checked in with Shanahan via telephone on a regular basis to provide details on the progress. Relator was on this project continuously from start to finish. Grimes appeared only once or twice at the site and did not engage in operational control from Relator's observation.

72. Department of the Army Armory-Rochester, New York. This contract was awarded to Diverse on April 5, 2011 under SDVOSBC contract ID #W912QR11C0011 with a total contract value of \$13,187,024. Northland employee, Bob Miller ("Miller") was the on-site project supervisor and other Northland employees were Relator, Brown, and James Hohm (Relator's son). Relator recalls that Grimes did not appear on the site and he did not engage in any oversight while Relator was on the project.

c) Equipment

73. Northland provided the majority, if not all, of the equipment used for Diverse SBA set-aside contracts. Diverse had a limited number of vehicles registered to the company which were easily identifiable by their embossed Diverse logos. Relator recalls that two Diverse-marked pickup trucks were driven by Grimes and Weight. However, Relator recalls that the spare keys to the vehicles were maintained by Maria, a Northland secretary, and that those vehicles were often parked and maintained at Northland's headquarters. In 2012, Northland President James Tyler offered to sell the Diverse pickup that was often driven by Weight to Relator for approximately \$4,500. Relator declined the offer after unsuccessfully negotiating a reduced price with Northland's Comptroller, Ray Swierk. Neither Tyler nor Swierk indicated to Relator that the truck belonged to a separate entity, and Tyler represented that he had the authority to sell the vehicle to Relator.

74. While on the Rochester Armory project, an alleged Diverse project, Relator recalls that Miller had a Northland construction equipment trailer parked on-site. Additionally,

while working at the Castle Point and Albany projects, also alleged Diverse projects, Relator and several other employees drove a Northland stake rack, which is a lightweight dump truck.

75. On more than one occasion, Northland supervisors, including Shanahan, instructed Relator to refrain from driving Northland marked vehicles onto Diverse projects. Relator understood these instructions to mean that Defendants were trying to conceal that Northland and Diverse were one and the same company. These efforts to conceal included Shanahan instructing Relator to remove a Northland shirt that he was wearing while working on a Diverse SDVOSBC set-aside contract.

D. Defendants' Numerous False SDVOSBC, HUBZone, and Small Business Certifications and Claims for Payment.

76. The above-referenced set-aside contracts are representative of the numerous projects where Defendants used Northland employees, equipment, and resources to work Diverse projects, which were secured through Diverse's veteran-owned status. Northland's extensive and exclusive control of Diverse's daily and long-term management and operations made it more than an affiliate of Diverse. In everything but name, Diverse was Northland. As such, Defendants' repeated SDVOSBC, HUBZone, and Small Business certifications were false. In regards to the SDVOSBC certifications, they were false in two ways: (1) the aggregate annual revenue of Diverse and its affiliate Northland exceeded the regulatory maximums for satisfying the "small" size criteria required by 13 C.F.R. § 125.11(a), and (2) Grimes's total lack of oversight and day-to-day management failed to satisfy the "control" by a service-connected disabled veteran criteria required by 13 C.F.R. § 125.10(a). Further, with regards to the HUBZone and Small Business certifications, the aggregate annual revenue of Diverse and its affiliate Northland exceeded the regulatory maximums for satisfying the "small" size criteria required by 13 C.F.R. § 126.200(b)(2); FAR 19.502.

77. Relator, based upon his 30-years with Defendants' companies, conversations with current and former Northland employees, and his review of the GSA's website at <https://www.fpds.gov>, asserts that Grimes similarly had minimal or no control over the following SDVOSBC, HUBZone, and Small Business set-aside contracts, which were wholly controlled and performed by Northland personnel:

Award ID	Date Signed	Type	NAICS	Obligation
VA52814C0091	9/12/14	SDVOSBC	CIBC	\$6,097,480.77
DTSL5513CC0893	9/31/13	SDVOSBC	CIBC	\$1,128,444.33
VA52813C0088	4/26/13	SDVOSBC	ECWIC	\$186,667.00
VA52813C0075	4/25/13	SDVOSBC	CIBC	\$2,201,098.75
VA52813P0712	3/28/13	SDVOSBC	ECWIC	\$58,385.00
VA52813C0033	1/29/13	SDVOSBC	PHACC	\$2,009,529.82
VA24312C0191	9/24/12	SDVOSBC	CIBC	\$169,000.00
VA52812P0749	8/22/12	SDVOSBC	CIBC	\$12,500.00
VA52812P1013	8/22/12	SDVOSBC	CIBC	\$28,432.00
VA52812C0152	7/17/12	SDVOSBC	CIBC	\$435,545.21
VA52812P0563	7/9/12	SDVOSBC	CIBC	\$16,222.00
VA528C0894	6/9/11	SDVOSBC	ECWIC	\$384,442.00
VA528C0852	5/27/11	SDVOSBC	PHACC	\$454,704.00
VA528C0873	5/26/11	SDVOSBC	CIBC	\$48,206.00
VA528C0837	5/13/11	SDVOSBC	CIBC	\$811,595.80
VA528C0834	4/18/11	SDVOSBC	PHACC	\$1,350,637.00
W912QR11C0011	4/5/11	Small Business	CIBC	\$13,705,581.13
VA528RA0734	5/21/10	SDVOSBC	PHACC	\$2,562,850.01
VA528RA0731	3/31/10	SDVOSBC	PHACC	\$1,243,712.00
W912PQ09C0045	9/30/09	HUBZone	CIBC	\$9,305,882.00
VA528C0565	5/25/09	SDVOSBS	CIBC	\$650,024.00
VA101183B4C0031	6/13/08	SDVOSBC	CIBC	\$12,823,030.65
VA528C0733	1/3/13	SDVOSBC	CIBC	\$1,107,422.00
VA243C0413	6/4/13	SDVOSBC	CIBC	\$511,135.57
Total:				\$57,302,527.04

CIBC = Commercial and Institutional Building Construction

PHACC = Plumbing, Heating, and Air-Conditioning Contractors

ECWIC = Electrical Contractors and Other Wiring Installation Contractors

SDVOSBS = Service Disabled Veteran Owned Small Business Sole (Source Set-Aside)

78. As referenced above, the regulatory size standard is \$36.5 million in annual receipts for small businesses competing for contracts set-aside for the industrial, commercial, and

institutional building construction NAICS industry. 13 C.F.R. § 121.201. The regulatory size standard is only \$15 million in annual receipts for small businesses competing for contracts set-aside for the plumbing, heating, and air-conditioning contractors and electrical contractors and other wiring installation contractors NAICS industries. 13 C.F.R. § 121.201.

79. The Government requested SDVOSBC, HUBZone, and Small Business bid proposals for each of the above contracts and identified the contract opportunities as set-asides for certain NAICS industries. The governing regulations required that Diverse certify its qualified status each and every time it submitted the bids that resulted in the contracts listed above as well as for the claims for payment in connection with those contracts.

80. In conclusion, Defendants falsely certified Diverse's SDVOSBC, HUBZone, or Small Business status each time Diverse applied for a SBA set-aside contract and made a claim for payment from 2007 through to the present day. As alleged above, Northland controlled all aspects of Diverse and used figurehead veteran owner Grimes to unlawfully win SDVOSBC projects. Further, Defendants wholly controlled Diverse, and hid that fact to conceal Northland's affiliate status with Diverse because Defendants knew the companies' aggregate revenues far exceeded the regulatory maximums for the set-aside contracts. 13 C.F.R. § 121.201; 13 C.F.R. § 121.103(a)(1).

81. The Government relied on Defendants' false certifications in awarding SBA set-aside contracts and accepting Defendants' continued claims for payment. Relator estimates that Defendants' fraudulent actions caused at least \$57 million in damages to the United States.

COUNT I
VIOLATION OF THE FEDERAL FALSE CLAIMS ACT, 31 U.S.C. § 3729-33

82. Relator incorporates paragraphs 1 through 81 of this Complaint as though fully set forth herein. This count sets forth claims for treble damages and forfeitures under the FCA.

83. As described in greater detail above, Defendants conspired to abuse the SBA's Service-Disabled Veteran-Owned Small Business, HUBZone, and Small Business programs. Defendants submitted or caused to be submitted false certifications of compliance to the SBA to participate in and bid on contracts set-aside for SDVOSBCs, HUBZone companies, and Small Businesses, even though Defendants were ineligible. Lawful status as an SDVOSBC, HUBZone company, or Small Business is a specified condition of payment under the contracts identified herein.

84. Under the FCA, Defendants have therefore violated:

- a) 31 U.S.C. § 3729(a)(1)(A) by knowingly presenting, or causing to be presented, a false or fraudulent claim for payment or approval;
- b) 31 U.S.C. § 3729(a)(1)(B) by knowingly making, using, or causing to be made or used, a false record or statement material to a false or fraudulent claim; and
- c) 31 U.S.C. § 3729(a)(1)(C) by conspiring to commit a violation of 31 U.S.C. § 3729(a)(1)(A) and (a)(1)(B).

85. Because of Defendants' false claims, the United States has suffered and continues to suffer damages, and is therefore entitled to a recovery as provided by the FCA of an amount to be determined at trial, plus a civil penalty for each such claim submitted.

PRAYER FOR RELIEF

WHEREFORE, Relator James Hohm, on behalf of the United States, respectfully requests that:

- a) This Court enter an order declaring that Defendants violated the FCA by making false statements and records to cause false claims to be submitted to the United States;

- b) This Court enter an order requiring Defendants to pay an amount equal to three times the amount of damages to the United States;
- c) This Court enter an order requiring Defendants to pay the maximum civil penalties for each such false or fraudulent claim;
- d) This Court enter an order awarding Relator James Hohm the maximum statutory award for his contributions to the prosecution of this action pursuant to 31 U.S.C. § 3730(d);
- e) This Court enter an order requiring Defendants to pay all expenses, attorney's fees and costs associated with this action pursuant to 31 U.S.C. § 3730(d)(1); and
- t) Any and all other relief as this Court determines to be just and proper.

REQUEST FOR TRIAL BY JURY

Relator hereby demands a trial by jury on all counts.

Dated April 30, 2018

Respectfully submitted,

CARTER, CONBOY, CASE, BLACKMORE,
MALONEY & LAIRD, P.C.

By: 

THOMAS A. CAPEZZA

Bar Roll No.: 503159

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Lead Counsel for Plaintiff/Relator





*A Proven Leader in the
Construction Industry,
With a Strong Presence in the
North Country and the
Experience to Successfully
Complete Your Project.*

4701 Buckley Road, Liverpool, NY 13088
Tel: (315) 451-3722 ■ Fax: (315) 451-3655

☐ INTRODUCTION

TAB 1

☐ AIRPORT & AVIATION

☐ INDUSTRIAL / MANUFACTURING

☐ OFFICE / RETAIL

☐ DESIGN / BUILD

☐ HOSPITAL / MEDICAL

☐ EDUCATIONAL FACILITIES

☐ MULTI-UNIT HOUSING

☐ GOVERNMENT

☐ SPECIALTY

☐ CORRECTIONAL FACILITIES

☐ ATHLETIC FACILITIES

☐ HOSPITALITY

☐ CONCRETE CONSTRUCTION

TAB 2

☐ LEED PROJECTS

☐ TRAVEL

☐ COMPLETED PROJECTS (MAP)

☐ NORTH COUNTRY PRESENCE (MAP)

TAB 3

☐ PROJECT REFERENCES

☐ AWARDS & CERTIFICATIONS

☐ BONDING CAPABILITIES

INTRODUCTION

Northland Associates Inc. has been building commercial construction projects since 1982, establishing deep roots in Northern and Central New York and travelling to take on projects throughout most of New York State and into neighboring states. In the information that follows you will see a representation of the wide range of work completed over the last several decades. The projects are large and small, public and private, diversified in style, method and character. Please have a look at what we are proud to show as our accomplishments but first, a little about our development into what we have become today.

Northland Associates Inc. was founded by Jim and Tom Tyler in 1982. Together they shaped the character and integrity of the company instilling it with a value for responsible business practices. Many of our people have been here for over twenty years bringing their collective construction knowledge to build the strength of our group and to benefit each project. Jim Tyler continues as President and is routinely active in current projects.

During the early years most of our projects were publicly funded and competitively bid. Fort Drum was expanding and we were part of that adding housing, operations facilities and infrastructure to the military base and working with the Army Corps of Engineers. New York State expanded the prison system and Northland was there too at Ogdensburg, Gouverneur, Malone, Oneida, Marcy and others on projects administered by the New York State Office of General Services. The K through 12 market was very active during the eighties and nineties and Northland completed numerous school projects under separate prime contract agreements with various architectural and engineering firms.

Northland matured as experience grew and a reputation was earned as a dependable, qualified general contractor. Relationships developed and private project opportunities increased. We became involved in projects with some very challenging aspects like the Carousel Mall and Crossgates Mall performed under very demanding schedules. Work with national retailers including Wal-Mart, K-Mart, Home Depot, Montgomery Ward, the May Department Store Company and J.C. Penney that have highly developed construction purchasing entities improved and strengthened our capabilities. Those relationships resulted in more retail construction opportunities and we travelled to Maryland, Virginia, Connecticut, Delaware and New Hampshire by invitation.

Another association that grew out of work in the retail market was with the company of John D. Schmidt, a framing and drywall specialist. Originally working together in a subcontractor relationship, our companies connected well and in 1993 JDS became a division of Northland Associates. JDS continues today, largely serving the retail and small commercial market performing lease space finish out, service and repairs and Job Order Contracts.

Other relationships were cultivated and one we are particularly proud of is our long association with St Lawrence University. For more than twenty five years Northland has been delivering for SLU, performing over twenty projects, large and small and include the Sullivan Student Center, the Johnson Hall of Science, the Newell Field House and most recently, a new 155 bed Residence Hall and Quad Renovation.

Wind energy arrived in New York in about 2000 and not long after Northland was tapped to do the concrete foundation work that is unique to the wind turbine structures. We constructed the foundations for nearly 200 turbines that were erected in several phases of the Maple Ridge Wind Farm and have done more in Michigan and Indiana completing over 350 in total.

INTRODUCTION

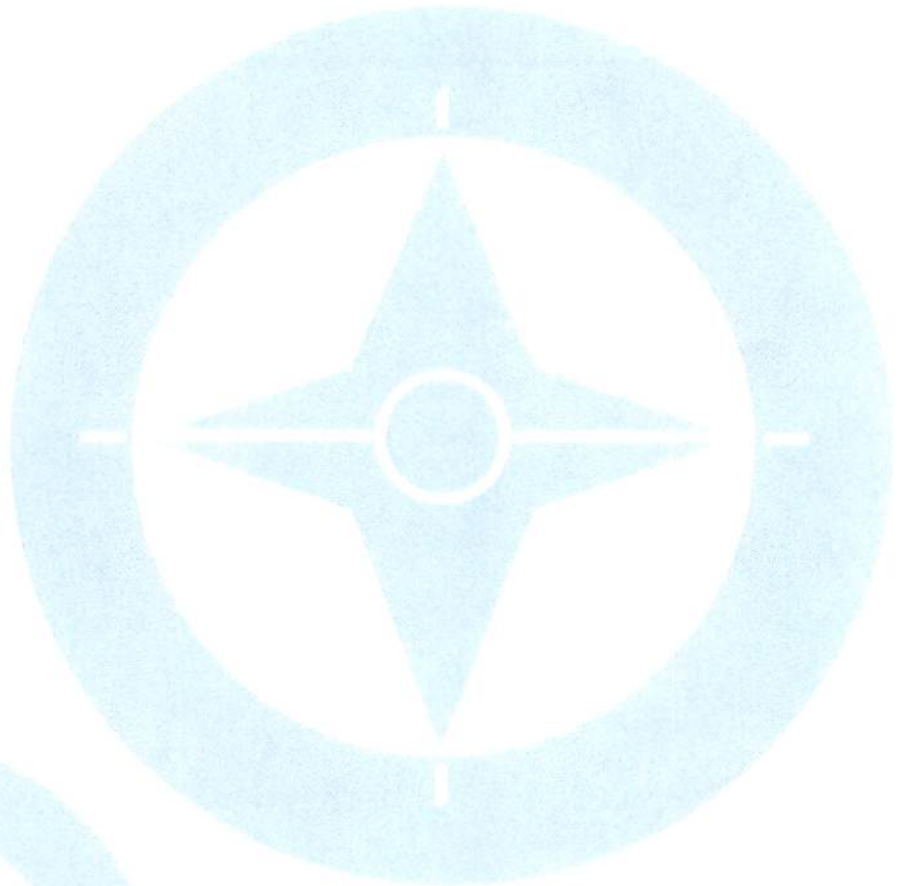
Northland's ability to self-perform large structural concrete work has produced many opportunities to be a key part of some notable projects but more importantly gives us the ability to drive the early part of any project at the most critical period when the structures are coming out of the ground. This is one of the Northland advantages.

We have worked on stadiums, resorts, schools, hospitals, prisons, hangars, office buildings, parking garages, athletic facilities, convention centers, multi-unit housing, retail centers, laboratories, border crossings, museum exhibits, airports and more. We have constructed projects with values in excess of \$50 million and small repair projects. We have served many types of customers with a wide range of needs.

We work hard at the details of building - budgets, schedules, quality, safety, environment and managing risks. Our team of project managers, superintendents, tradesmen and support staff is made up of people who have the experience and desire to get the job done. Please enjoy this presentation of Northland's achievements and please consider us for your construction needs. We would be happy to answer any questions and expand upon any of the information presented at your request.

TAB 1

PROJECTS



AIRPORT & AVIATION

HANCOCK INTERNATIONAL AIRPORT EXPANSION

- \$8.8 million, 200,000 SF.
- Additions at each end of the existing terminal building, new offices, gift shop, and rental car facilities.
- Aviation exhibits.



AIRPORT & AVIATION



AIRPORT & AVIATION

EXEC AIR HANGAR



AIRPORT & AVIATION



EXEC AIR HANGAR



AIRPORT & AVIATION



STRATTON AIR FORCE BASE NYSANG HANGAR



TISA - DOL HANGAR, FT DRUM

AIRPORT & AVIATION

TISA - DOL HANGAR, FT DRUM



INDUSTRIAL / MANUFACTURING



NOVELIS SUBSTATION



INDUSTRIAL/MANUFACTURING



MADISON ONEIDA BOCES
TRANSPORTATION CENTER



KRAFT CAMPBELL ANAEROBIC
DIGESTER TANKS



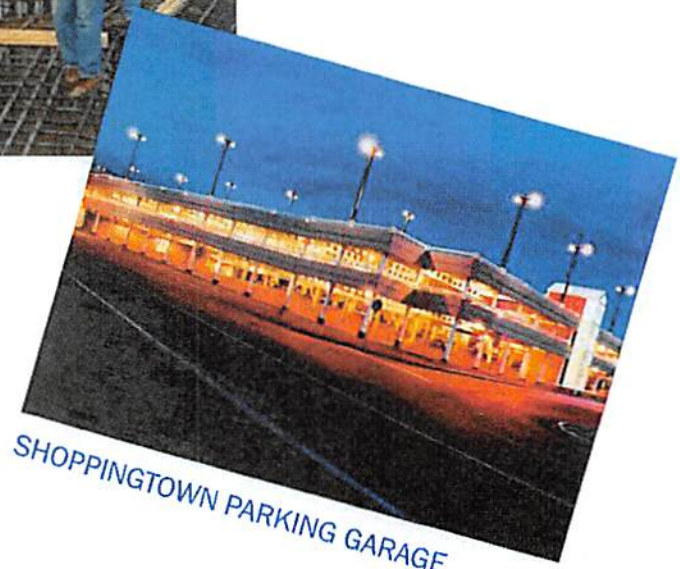
BENTON COUNTY WINDFARM FOUNDATIONS



ULSTER COUNTY TRANSIT



EXEC AIR HANGAR



SHOPPINGTOWN PARKING GARAGE

OFFICE / RETAIL

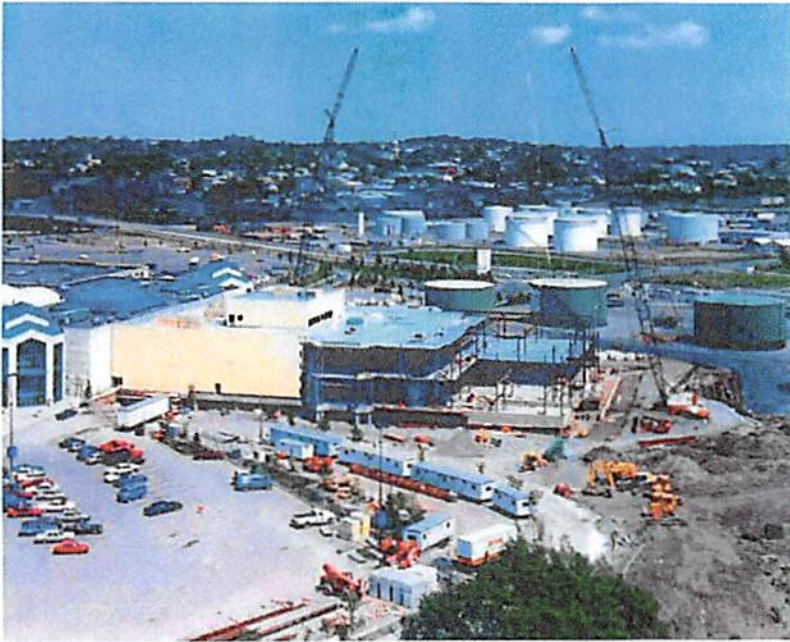


NEW MADISON OFFICE BUILDING



HOME DEPOT, CROSSGATES MALL

OFFICE / RETAIL



LORD & TAYLOR RETAIL DEPARTMENT STORE, CAROUSEL MALL

120,000 SF Retail Store & Underground Parking Garage

- 300' Deep "H" Piles and Pile Caps
- Complete Site Package Including Utilities
- Construction Duration: May 1994 - November 1994



SUPER K-MART



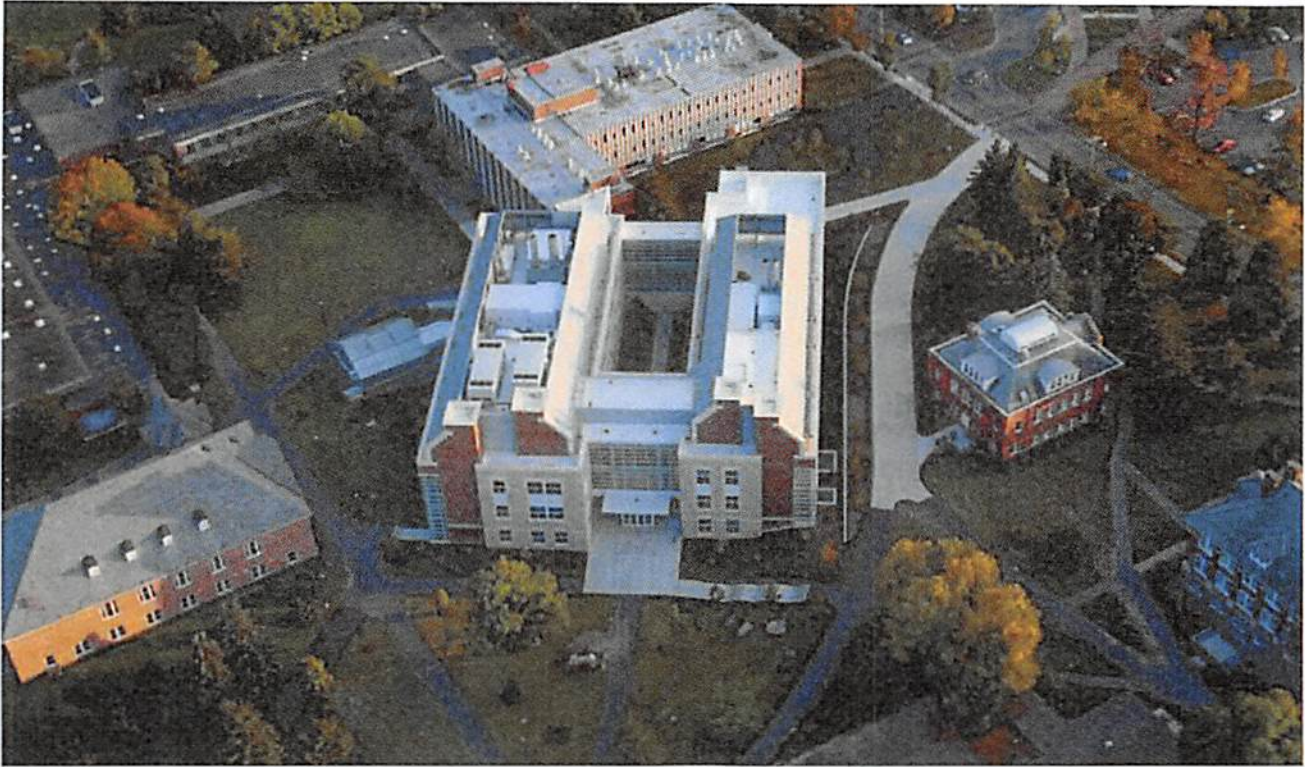
FILENE'S, SALEM



AAFES MINI MALL, FT DRUM



DESIGN/BUILD



ST. LAWRENCE UNIVERSITY JOHNSON HALL OF SCIENCE

- \$30 Million, 120,000 SF new building for biology and chemistry.
- This project attained a LEED Gold rating.



DESIGN / BUILD



MILITARY ENTRANCE PROCESSING STATION (MEPS)
SYRACUSE HANCOCK FIELD



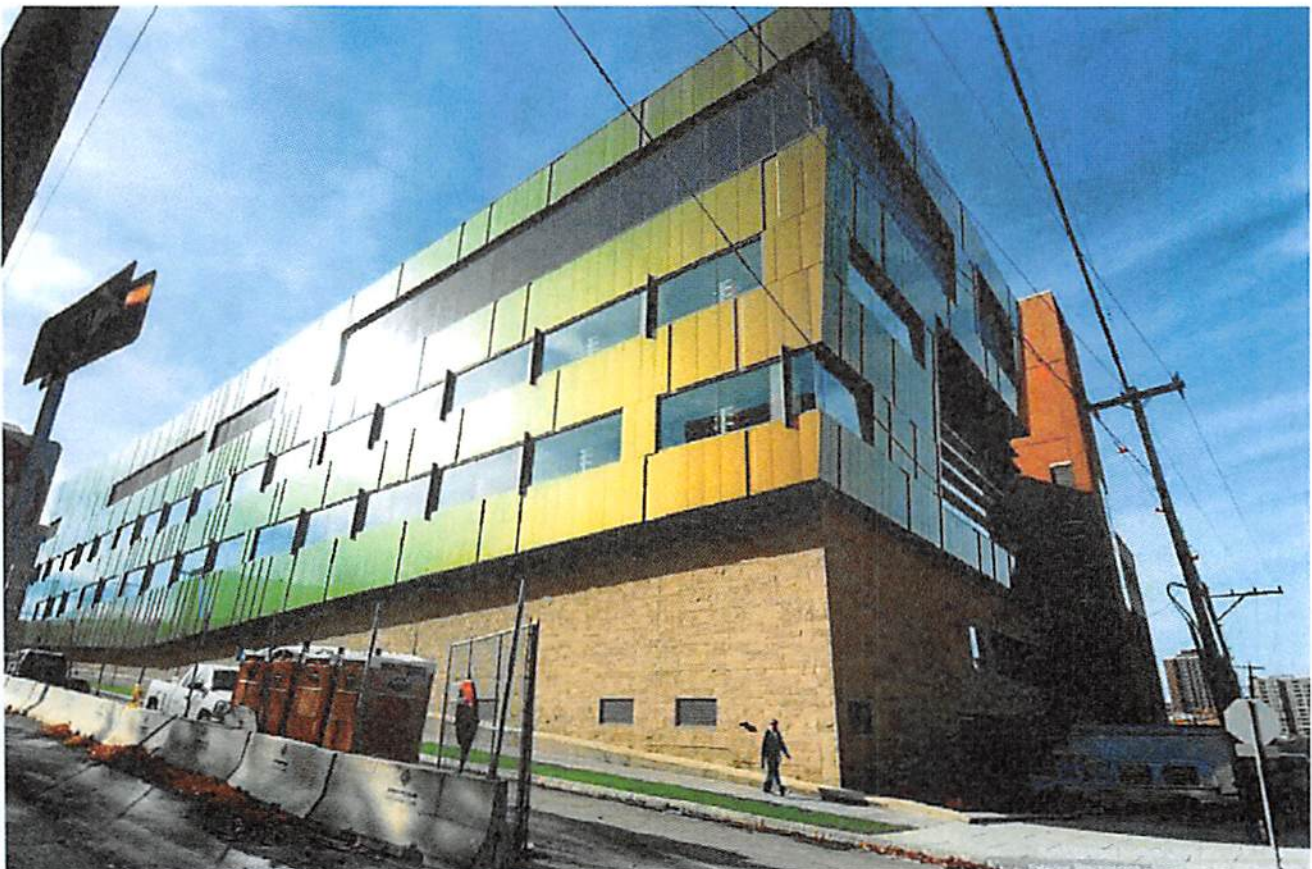
NATURAL HISTORY MUSEUM OF THE ADIRONDACKS,
WILD WALK PROECT, TUPPER LAKE, NY

HOSPITAL / MEDICAL



INSTITUTE FOR HUMAN PERFORMANCE,
UPSTATE UNIVERSITY HOSPITAL, SYRACUSE, NY

- \$47 Million, 150,000 SF office and laboratory space.
- Iridescent exterior metal cladding changes color from green to purple depending on viewing position.
- LEED Silver.



HOSPITAL / MEDICAL



FIREMEN'S HOME SKILLED NURSING FACILITY,
HUDSON, NY



UPSTATE UNIVERSITY HOSPITAL,
PARKING GARAGE, SYRACUSE, NY



ST. LAWRENCE COUNTY 70 BED PSYCHIATRIC CENTER

MULTI-UNIT HOUSING



FRANKLIN SQUARE APARTMENTS



GERRY HALL, SUNY DELHI



SUNY CORTLAND, HAYES HALL

MULTI-UNIT HOUSING



GRASSE RIVER STUDENT HOUSING, SUNY CANTON

■ 18 Million, 120,060 SF, 305 beds.



MULTI-UNIT HOUSING

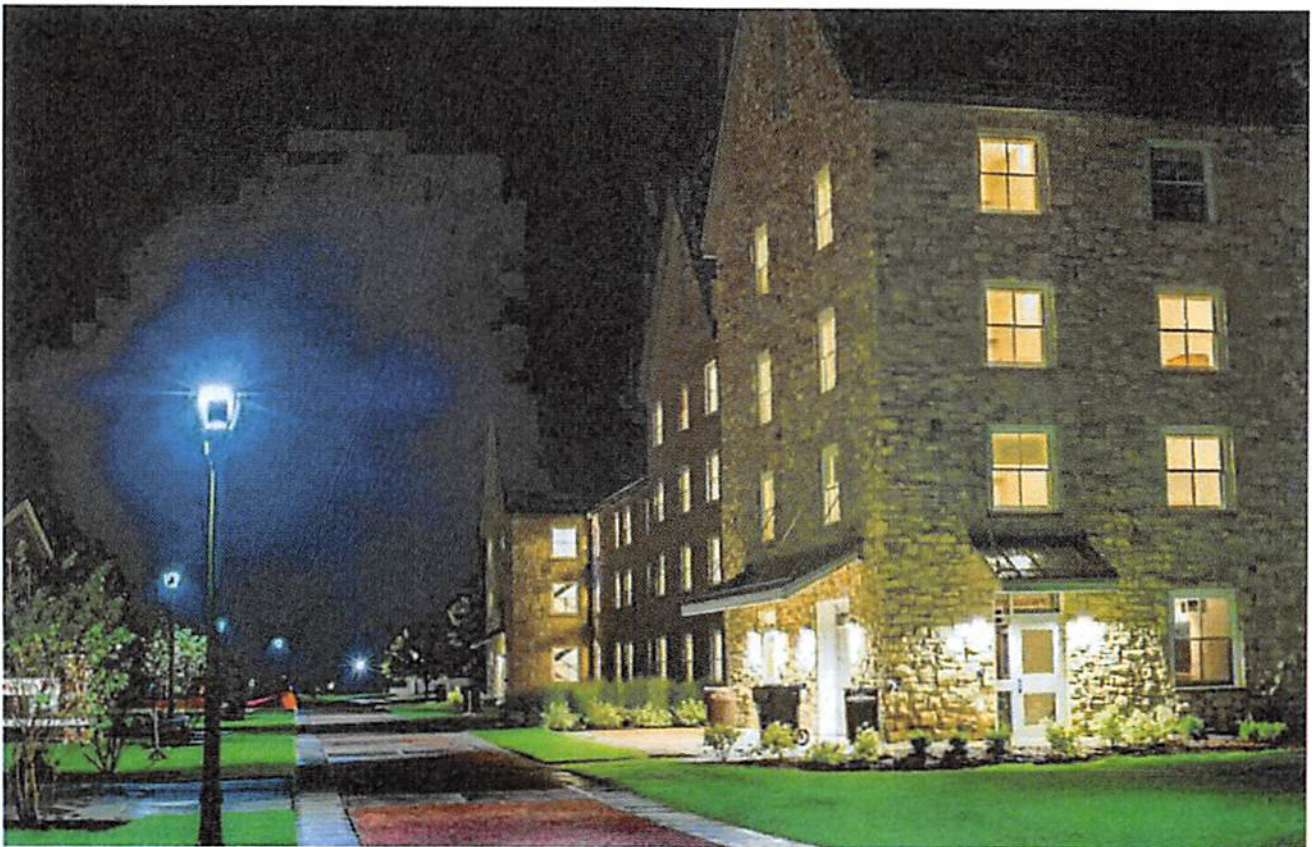
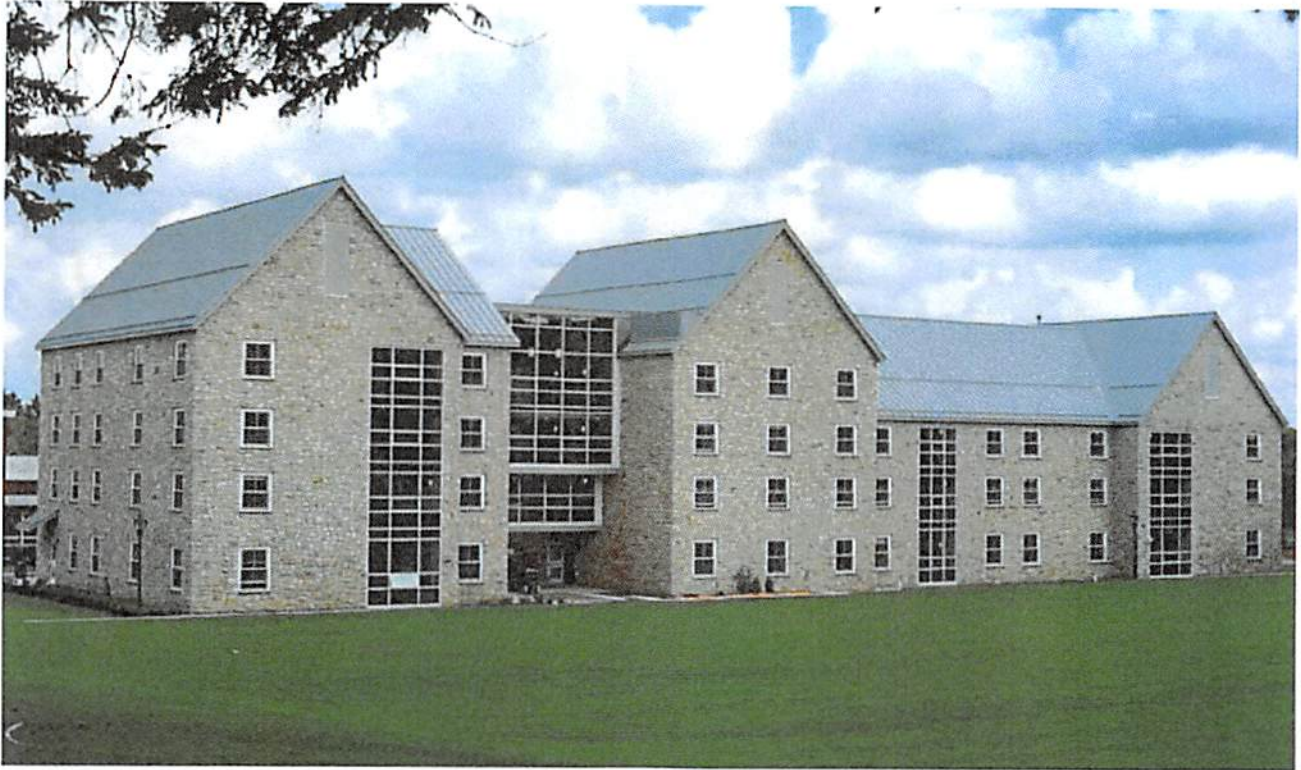


ST. LAWRENCE UNIVERSITY STUDENT HOUSING

■ \$12 Million, 50,950 SF, 155 bed dormitory



MULTI-UNIT HOUSING



GOVERNMENT

US LAND PORT OF ENTRY, MASSENA, NY



FT. DRUM
OPEN DINING FACILITY



FT. DRUM
CLARK HALL



FT. DRUM
MOUT MAC TRAINING
VILLAGE

GOVERNMENT



US LAND PORT OF ENTRY, CHAMPLAIN, NY

■ 51 Million, 47,028 SF new vehicle processing facility.



SPECIALTY

FLAT ROCK
WIND FARM



SUNY CANTON
ICE RINK

SPECIALTY

HURON THUMB, MI
WIND FARM



BENTON COUNTY, IN WIND FARM



SPECIALTY



SAMARITAN
PARKING GARAGE



ARMORY SQUARE PARKING GARAGE



SPECIALTY

UPSTATE MEDICAL
PARKING GARAGE



INDIAN RIVER
BUS GARAGE

CORRECTIONAL FACILITIES

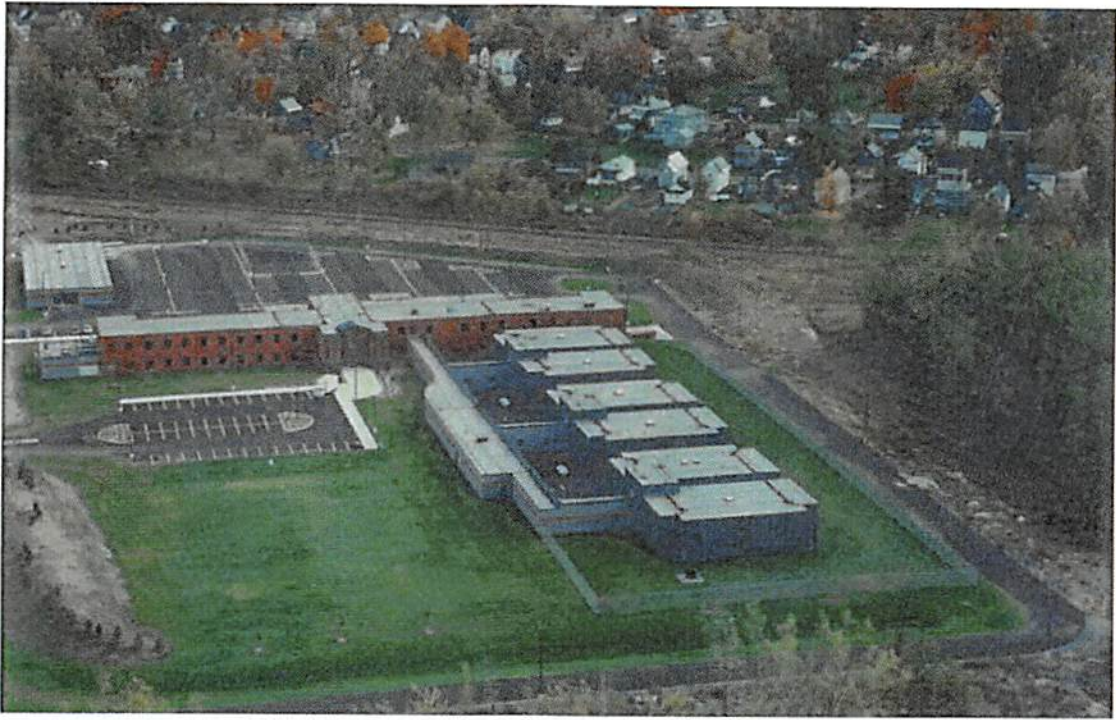


FRANKLIN COUNTY
CORRECTIONAL FACILITY

JEFFERSON COUNTY
COURTHOUSE



CORRECTIONAL FACILITIES



JEFFERSON-METRO PUBLIC SAFETY BUILDING



MIDSTATE CORRECTIONAL

ATHLETIC FACILITIES

ST. LAWRENCE UNIVERSITY NEWELL FIELD HOUSE

■ \$10 Million, 118,000 SF.



ATHLETIC FACILITIES

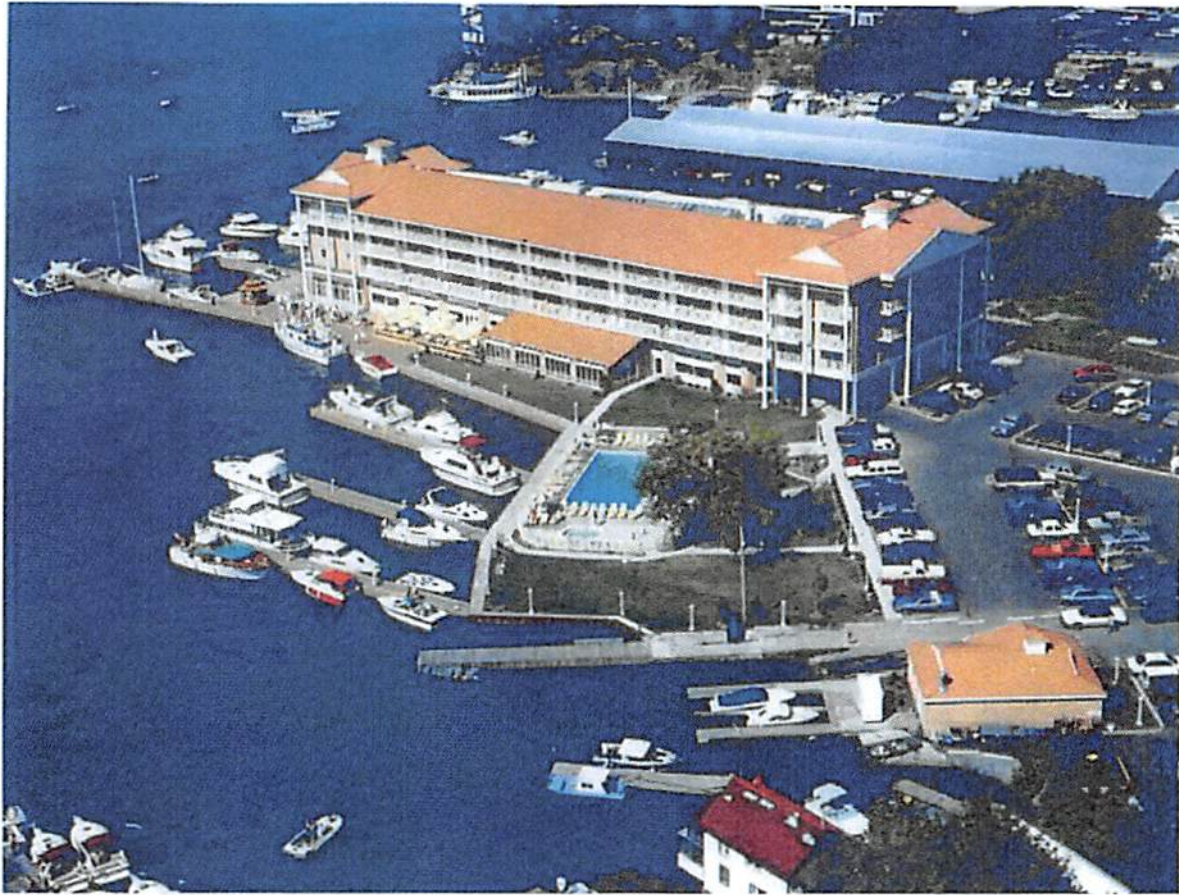


SUNY CANTON CONVOCATION ATHLETIC RECREATION CENTER



P & C STADIUM (NOW ALLIANCE BANK STADIUM)

HOSPITALITY



RIVEREDGE RESORT, THOUSAND ISLANDS, NY

HOSPITALITY



CORNELL UNIVERSITY STATLER HALL
SCHOOL OF HOTEL ADMINISTRATION



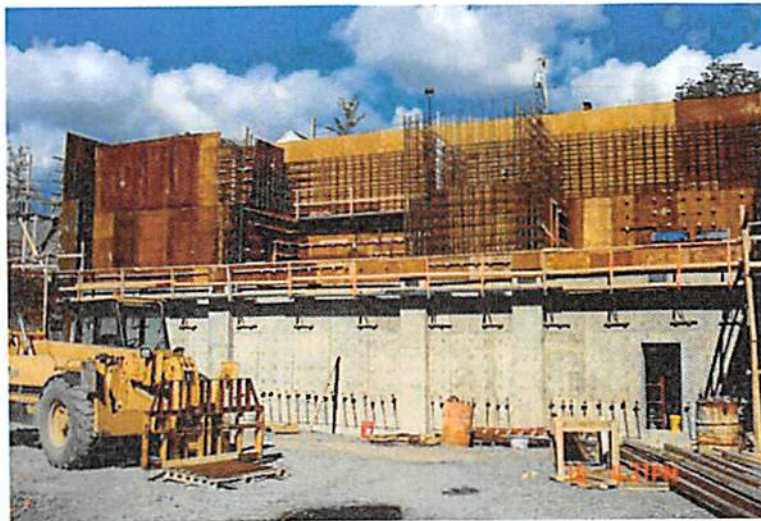
FT DRUM CLARK HALL OPEN DINING FACILITY



CONCRETE CONSTRUCTION



ST. LAWRENCE UNIVERSITY
JOHNSON HALL OF SCIENCE
FOUNDATIONS



SYRACUSE UNIVERSITY
LIFE SCIENCE BUILDING
FOUNDATIONS

SUNY POTSDAM THEATRE OF
PERFORMING ARTS



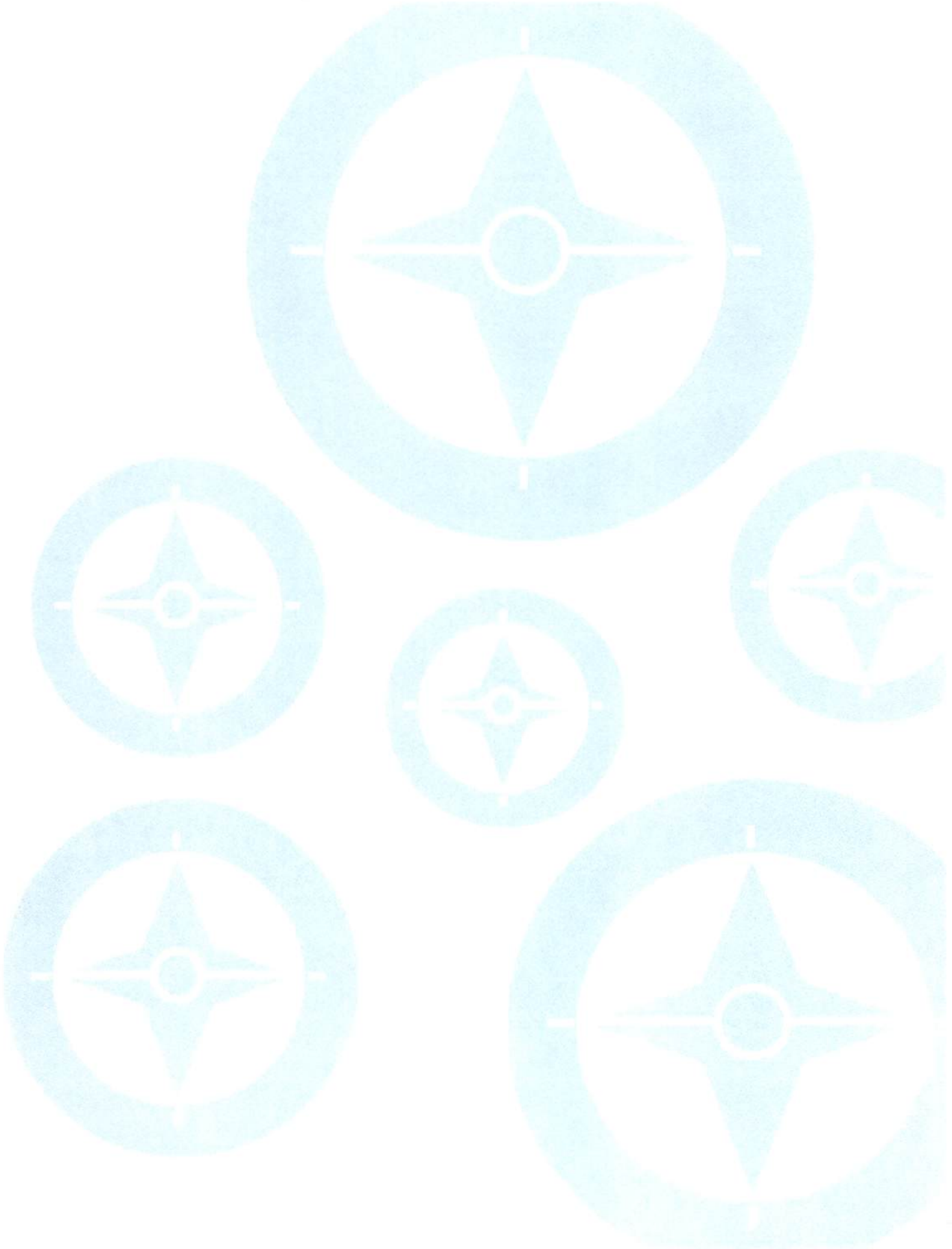
CONCRETE CONSTRUCTION



KRAFT CAMPBELL ANAEROBIC DIGESTER TANKS



ONONDAGA COUNTY CONVENTION CENTER



TAB 2

LEADERSHIP IN ENERGY & ENVIRONMENTAL DESIGN

Northland Associates understands being environmentally conscientious and responsible. We are a member of the USGBC and have two LEED Accredited Professionals on staff. At the time Northland was called upon to construct St. Lawrence University Johnson Hall of Science, we had much to learn about LEED. Within the 2 year span of the project Northland took initiative and became very familiar with the LEED process and was able to help exceed the established goal of LEED SILVER and obtain the higher LEED GOLD certification. Since that first LEED project Northland has completed a number of additional LEED projects and built others to LEED standards. Please see the list of Northland's completed LEED projects and LEED projects in progress as well as the Award Winning Massena Land Port of Entry project, a LEED Silver project.

LEED PLATINUM

- Marcy Correctional Pharmaceutical Facility

LEED GOLD

- St. Lawrence University, Johnson Hall of Science

LEED SILVER

- Champlain, U.S. Land Port of Entry, Champlain, NY
- Massena, U.S. Land Port of Entry, Massena, NY
- SUNY Canton, Convocation Athletic Recreation Center (CARC)
- SUNY Canton, Ice Arena Facility

LEED SILVER SPIRIT Award

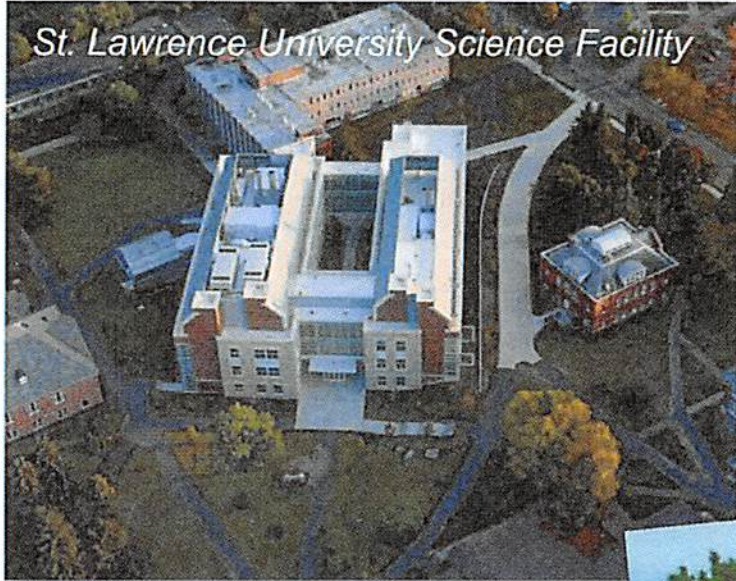
- Military Entrance Processing Station (MEPS), Syracuse, NY

LEED SILVER (Pending)

- SUNY Potsdam, Theatre of Performing Arts
- SUNY Upstate Medical University, Institute for Human Performance (IHP)



We love to travel...



St. Lawrence University Science Facility



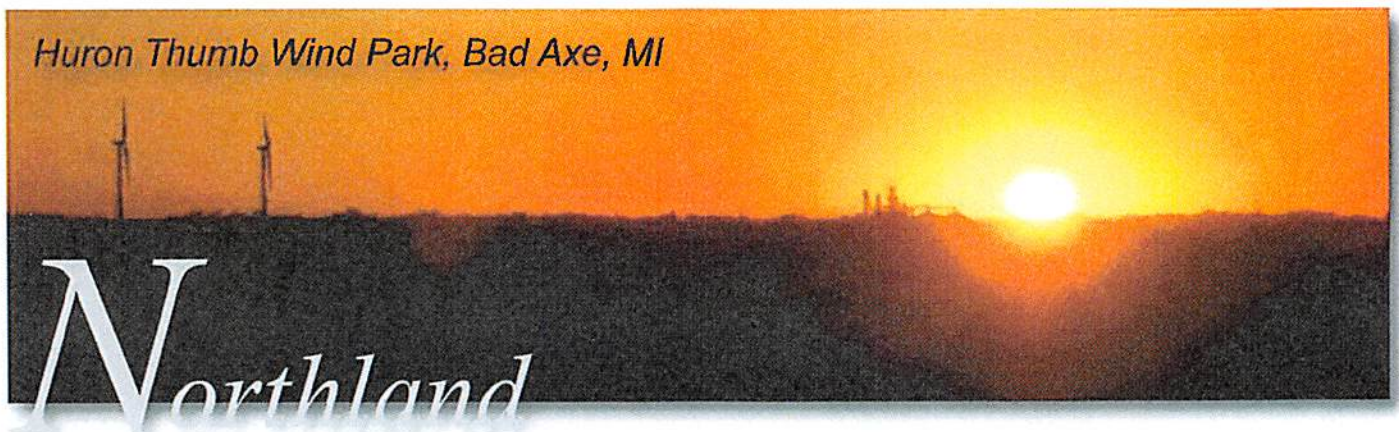
Benton City Wind Farm, IN



Ft. Drum Soldier & Family Support Ctr.



SUNY Albany, Life Science Center

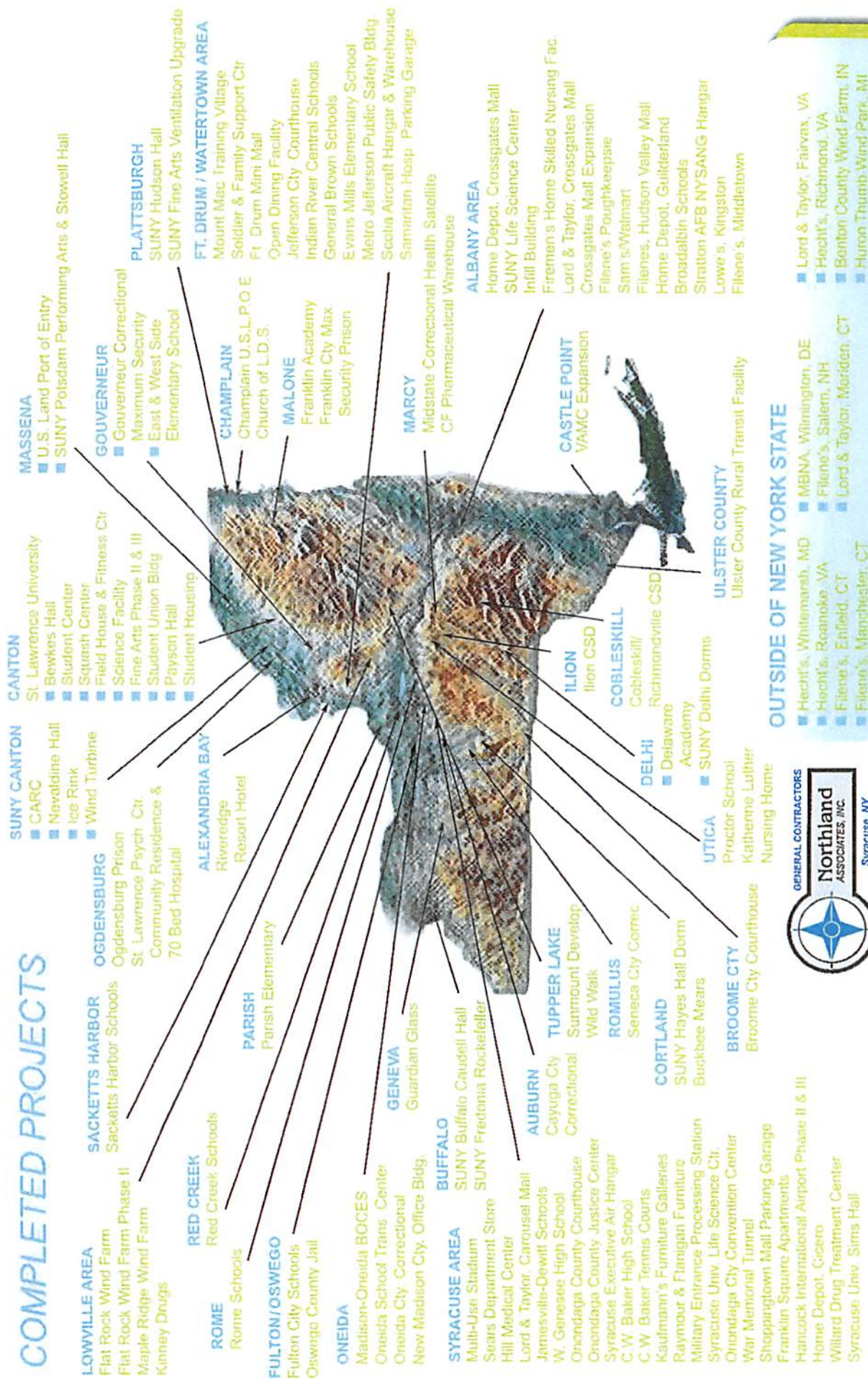


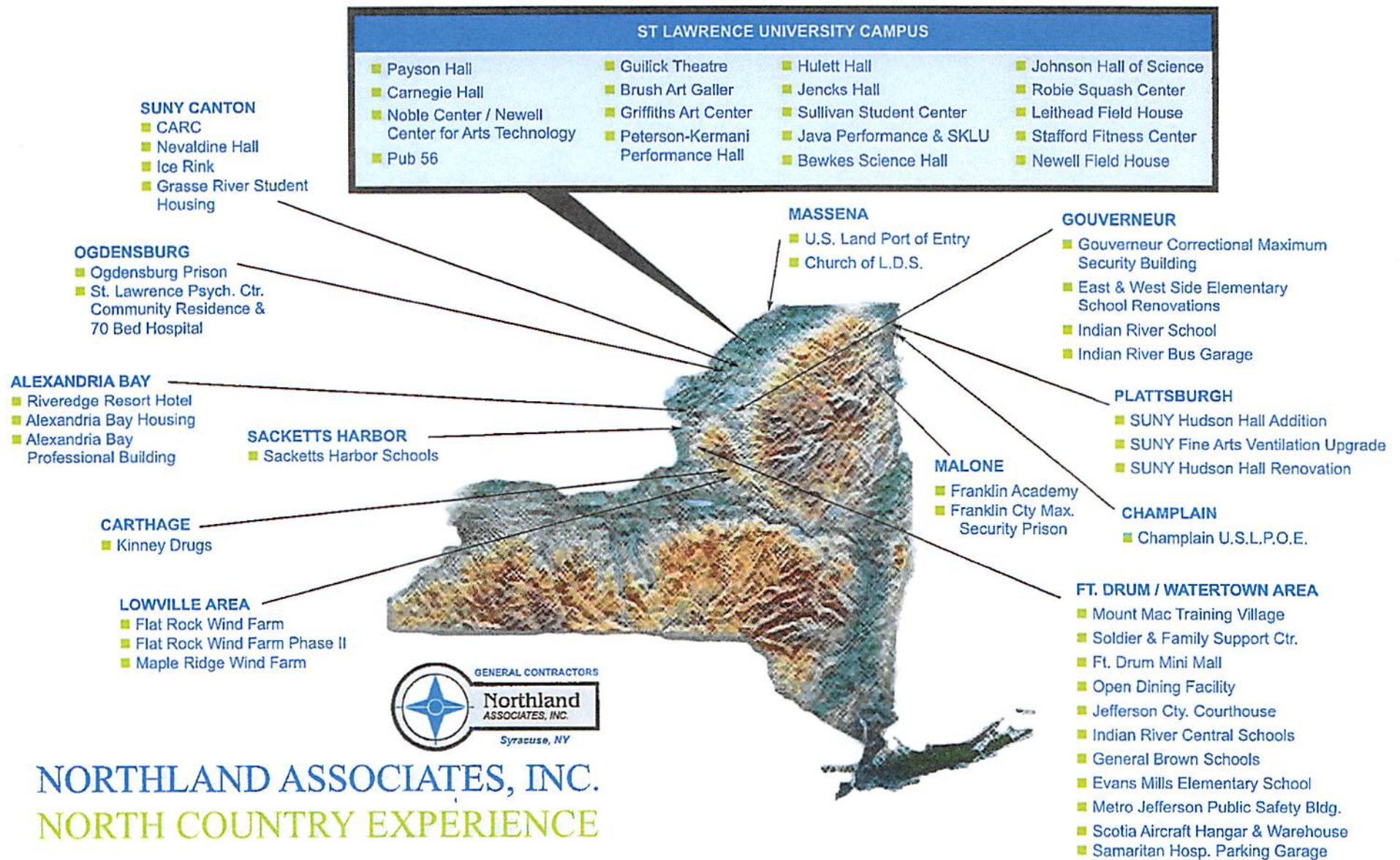
Huron Thumb Wind Park, Bad Axe, MI

*N*orthland

*has the capability to mobilize quickly
and efficiently to anywhere in the
continental United States.*

COMPLETED PROJECTS





TAB 3

REFERENCES

St. Lawrence University, Canton, NY

Mr. Thomas Coakley -Vice President of Administrative Operations
29 Romoda Drive, Canton, NY
Tel: (315) 229-5657
E-Mail: tcoakley@stlawu.edu

Cornell University, Ithaca, NY

Mr. Thomas King - Director of Construction Management
102 Humphreys Service Building Ithaca, NY
Tel: (607) 255-7216
E-Mail: tek39@cornell.edu

Fireman's Home Association, Hudson, NY

Mr. William Grant - Owner's Representative (FASNY)
Tel: (315) 323-0887
E-Mail: wgrant1@twcny.rr.com

General Services Administration

Mr. Rico Liu - Project Administrator
Tel: (212) 264-5142
E-mail: rico.liu@gsa.gov

State University Construction Fund

Mr. William Held, Director of Design & Construction
353 Broadway, Albany, NY 12246
Tel: (518) 320-3212
E-Mail: william.held@suny.edu

Dormitory Authority State of New York

Mr. James Monroe - Owner's Representative
One Penn Plaza, Suite 52, New York, NY 10119
Tel: (518) 257-3377
E-Mail: jmonroe@dasny.org

AWARDS & CERTIFICATIONS



Engineering New Record

New York Construction 10 Best of Awards, Massena US. Land Port of Entry

AWARDS & CERTIFICATIONS

New York Construction

10 best of
awards
Recognizing Excellence



PROJECT OF THE YEAR - GOVERNMENT/PUBLIC BUILDING
GENERAL SERVICES ADMINISTRATION
MASSENA US LAND PORT OF ENTRY

AWARDS & CERTIFICATIONS

From: Claude Banker [mailto:cbanker@stlawu.edu]
Sent: Tuesday, December 11, 2007 12:12 PM
To: Jim M. Tyler
Subject: Things that you should know or at least should be reinforced

Jim,

I thought that you should see some excerpts from a report sent to Tom Coakley today.

I want you to know how much that I appreciated working with NAI over the years. Special thanks to Tim and Wayne Tyler, who have been so helpful to the University and especially in supporting me. I can't say enough good about each of them. They are professional, honest and hard working individuals. Keeping them on future University projects will be an asset not only for Northland, but for the University as well.

Thanks again, Claude

Final Thoughts:

A nice project to have behind, but too, a nice one to end a career on. I can't say enough good about the job that Tom Greene did early on with the most difficult programming phase. Tbudd assistance during the construction process by supervising the IT/AV and lab furniture installations was a very big help to me.

NAI continues to do an outstanding job for the U. Wayne Tyler, probably the best concrete person that I have ever worked with, got a most difficult foundation out of the ground, followed by John Regan doing a nice job bringing the job to completion. Of course, Tim Tyler always does a fine job with over all supervision and his common sense approach to construction and project management has always blended well with my management style. Tom Coakley, although I understand not recognized at the dedication, was always there for the project. His willingness to hold the architects accountable to our needs caused him stress, but in the end, helped all of us build a nice building in spite of the architect.

AWARDS & CERTIFICATIONS

From: Richard Green
Sent: Wed 2/27/2008 8:46 AM
To: Matarazzo, Paul
Subject: RE: Construction Manager

Thanks Paul. Charles and I enjoyed the discussion and we are extremely interested in working with you on the project. A number of innovative ideas mentioned yesterday make this an even more exciting project.

a contact information you requested is as follows:

Northland Associates, Inc.
PO box 2549
Syracuse, NY 13220

Address:
4701 Buckley Road
Liverpool, NY 13088
315-451-3722
James Tyler, President
jmt Tyler@northlandassoc.com

Again, they are the best CM that I have worked with in the United States during my 40 year career. If you want another reference, my client for the Johnson Hall of Science at St. Lawrence Science University was Thomas Coakley, VP for Administrative Affairs, tel 315-229-5656 or tcoakley@stlawu.edu

Richard

AWARDS & CERTIFICATIONS

WEST GENESEE CENTRAL SCHOOL DISTRICT

300 SANDERSON DRIVE ■ CAMILLUS, NEW YORK 13031-1655 ■ TELEPHONE (315) 487-4562

RUDOLPH C. RUBEIS, Ph.D.
SUPERINTENDENT

We Celebrate Learning

March 1, 2005

REFERENCE FOR NORTHLAND ASSOCIATES, INCORPORATED

It is with sincere pleasure that I author this letter of recommendation pertaining to the qualifications, performance effectiveness, and human relations skills of the owner and employees of Northland Associates, Incorporated.

During the past two and one-half years, the renovation/reconstruction of West Genesee High School has occurred in a very effective manner. West Genesee employees, working with Northland management representatives and talented construction workers, have completed the project efficiently and according to schedule. The comprehensive project required significant teamwork to ensure the safety and well-being of our children.

Without question, representatives of Northland have been extremely knowledgeable, personable, well-organized, and responsive to our construction needs. In addition, their effective communicative skills enhance their ability to work well with people from differing occupational backgrounds. Through their relentless efforts and cooperative spirit, our students now attend a renovated/reconstructed high school that is aesthetically dynamic, technologically enhanced, and environmentally comfortable and safe.

If you are interested in more specific information regarding the performance of the individuals of Northland Associates, Inc., please call me at your convenience at (315) 487-4562.

Rudolph C. Rubeis
Rudolph C. Rubeis
Superintendent of Schools

RCR/bam

AWARDS & CERTIFICATIONS



DEPARTMENT OF DEFENSE
HEADQUARTERS UNITED STATES MILITARY ENTRANCE PROCESSING COMMAND
2834 GREEN BAY ROAD
NORTH CHICAGO, ILLINOIS 60064-3094

March 23, 2007

Northland Associates, Inc.
Attn: Mr. Michael McKenna
P.O. Box 2549
Syracuse, NY 13220

Dear Mr. McKenna:


You are commended for your firm's performance on the recently completed Military Entrance Processing Station (MEPS) located at the Hancock Air National Guard Base, Syracuse, New York.

The Syracuse MEPS is an important 24,000 square foot facility that provides military induction services for all branches of the Armed Services covering a 20-county area in central New York. Notice to proceed was given in September 2005, with a budget of \$6.2 million, for this design-build fast-track project. The facility was delivered in a timely manner, within budget, while achieving high standards of quality. It serves as very good example of a well-executed project.

No lost-time injuries occurred during the one year construction period which is commendable. Your design and construction representatives continuously collaborated with all the members of the Project Team, including the Military Entrance Processing Command, the New York District and Norfolk District Army Corps of Engineers, and the Air National Guard. Your members were proactive in identifying construction issues and recommending courses of action. This was instrumental in avoiding delays and impacts. Your representatives of the Project Team are also commended for their implementation of the Quality Control Plan. Particularly noteworthy are your subcontractors who were cooperative and provided excellent work. This is evidenced in the high quality of the completed Facility.

This facility provides an environment for new military inductees to be proud of their entrance into military service. This project could not have been accomplished without the full cooperation and efforts exhibited by your design and construction representatives.

Sincerely,


Andrew Minicz
Director, Facilities

AWARDS & CERTIFICATIONS

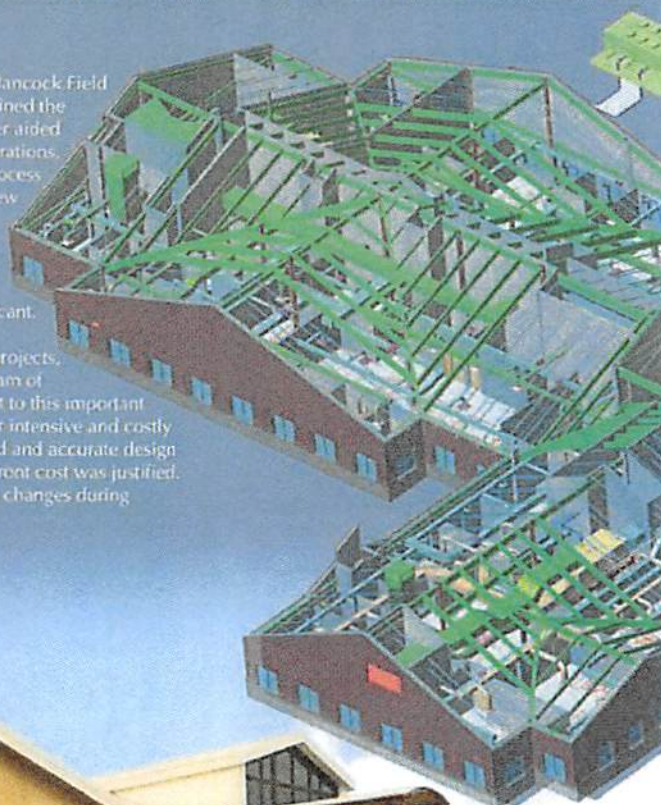
MILITARY ENTRANCE PROCESSING STATION

HANCOCK FIELD
SYRACUSE, NEW YORK

This new 24,000-square-foot military entrance processing station (MEPS) at Hancock Field New York Air National Guard Base in Syracuse, New York successfully combined the design/build process with the technology of three-dimensional (3-D) computer aided drafting and design (CADD). The facility includes command and control, operations, testing, medical, counselor, and common use areas. This military entrance processing facility is one of 65 throughout the country and serves a 20-county area in New York State.

The design of the facility represents the state-of-the-art process of screening, testing, and examining applicants for enlistment into the Armed Forces and provides the ability for personalized and professional attention for each applicant.

The technical value of 3-D CADD is most fully realized during design/build projects, when the designer and builder are a single team, allowing for a seamless stream of information. The revolution of cost-effective, detailed 3-D design was brought to this important project. In the past, developing 3-D renderings and plans was extremely labor intensive and costly compared to traditional 2-D drafting. Because of its complexity, 3-D's detailed and accurate design approach used to be practical only for more complex projects where the up-front cost was justified. The MEPS facility demanded a higher level of quality in an effort to minimize changes during construction.



Silver Award

2008 ACEC New York Silver Award for Engineering Excellence for
Design of the Military Entrance Processing Station at Hancock Field

AWARDS & CERTIFICATIONS



Joy, McCoola & Zilch
ARCHITECTS AND PLANNERS, P.C.

19 February 2001

Thomas D. Tyler, Vice President
Northland Associates, Inc.
4701 Buckley Road
Liverpool, New York 13088

Re: State University College at Potsdam
Hosmer Concert Hall Renovations
Project No. 9617

Dear Tom:

We want to thank you for your cooperation while working with us on the Hosmer Concert Hall renovation project. Everyone we speak with is pleased with the hall's transformation into a high-quality performance space. We are proud to inform you that this project has earned a Design Merit Award from the Eastern New York Chapter of the American Institute of Architects. This was one of only five awards given out this year.

We have enclosed a small display board of the project that we thought you would enjoy having.

Again, thanks for a job well done.

Sincerely yours,

Gary McCoola, AIA
Vice President

ROBERT J. JOY, AIA
GARY MCCOOLA, AIA
ROBERT R. ZILCH, AIA
TENEI REHM CASACCIO, AIA
DOUGLAS J. CRAMER, AIA

NEW FOUNTAIN SQUARE
12 WARREN STREET
P.O. BOX 725
GLENS FALLS, NY 12801
518-793-0786
FAX 518-793-1735
JMZARCHITECTS.COM

AWARDS & CERTIFICATIONS

109TH AIRLIFT WING
Stratton Air National Guard Base
Schenectady County Airport, New York

23 July 97

MEMORANDUM FOR NORTHLAND ASSOCIATES INC.
Attn: Jim Tyler

FROM: 109 AW/CE
1 Air National Guard Road
Scotia, New York 12302-9752

SUBJECT: Construction Performance

1. I wanted to take a moment to inform you of the outstanding performance of your firm in the construction of the new maintenance hangar at the Stratton Air National Guard Base in Scotia, New York.
2. The project has been ahead of schedule from the very beginning. Your staff has handled this construction project professionally and efficiently. Northland's communication with the A/E firm and the owner has been instrumental in developing a working partnership. This partnership has settled construction conflicts and provided the owner with a quality product. This has not been an easy project. The complexity of the design and the adversity that has been overcome demonstrates to the quality of your personnel and your firm.
3. I have been involved with numerous construction projects and contractors as an owner and an engineer. I measure the true quality of a firm by the way they overcome adversity and challenges. Through out this project Northland Associates has risen to the top in ever category. I urge you to continue the good work and hope to see you involved here at the Stratton Air National Guard Base again in the future. Your professionalism has successfully developed a satisfied customer.


RICHARD L. EDWARDS, MAJ, NYANG
Civil Engineering Officer

c:hangccr2

AWARDS & CERTIFICATIONS

January 21, 2005

Northland Associates, Inc
General Contractors
4701 Buckley Road
Liverpool, NY 13088

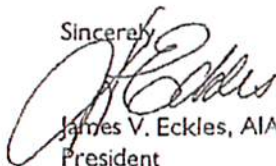
RE: **Letter of Recommendation**

To Whom It May Concern:

JSA, a multi-disciplined Architectural/Engineering firm headquartered in Pittsburgh, PA is pleased to extend its highest recommendation to Northland Associates, Inc, General Contractors, Liverpool, NY. Northland Associates has been the General Contractor on numerous projects designed by JSA over the last 20 years. We have found Northland to be extremely professional in their delivery of a project. They have repeatedly demonstrated their ability to deliver large and small projects on time and well constructed.

I am therefore, confident in giving our highest recommendation to Northland Associates and strongly encourage you to enlist them as a team member on your next project.

Sincerely,



James V. Eckles, AIA, North Carolina License No: 8107
President

JVE/ds



A - 6150 Steubenville Pike
Pittsburgh, PA 15205-1004
V - 412.788.1500
F - 412.787.5940
E - design@jsa-architects.com
W - www.jsa-architects.com

AWARDS & CERTIFICATIONS



King & King
Architects
LLP

108 Washington Street
Manlius, New York 13104
315/682-6180
FAX 315/682-7891
www.kingarch.com

January 13, 2005

Re: Reference
Northland Associates, Inc.

To Whom It May Concern:

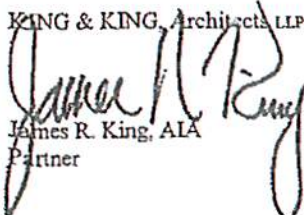
Northland Associates, Inc. is well known and well thought of in Central New York. Northland's people, experience, knowledge, cooperation and teamwork are significant factors in contributing to their portfolio of successful projects.

King & King, Architects has had experience with Northland on numerous projects over the past 15 years. We have found Northland to be cooperative and professional in their dealings. They coordinate their subcontractors well and attack a schedule aggressively. They seem to be interested in doing a good job and satisfying the Owner.

Should you have additional questions regarding Northland Associates, please do not hesitate to contact me.

Sincerely,

KING & KING, Architects LLP


James R. King, AIA
Partner

AWARDS & CERTIFICATIONS

**MacLachlan
Cornelius &
Filoni**

ARCHITECTURE • PLANNING • INTERIOR DESIGN

January 25, 2005



Mr. Tim Tyler
Project Manager
Northland Associates, Inc.
P.O. Box 2549
Syracuse, NY 13220

Dear Tim:

Thank you for your very kind letter of January 4, 2005.

I can say with great enthusiasm that all of us at MCF have also enjoyed working with all of you at Northland Associates, Inc.

We have really come to enjoy the North Country, even at 50 degrees below zero! All of you seem to represent what is best about that -- simple, direct, hardworking, honest people. Frankly, we are going to miss having something to do with you and look forward to that future possibility.

There is a third part to this relationship and that is the very good people at St. Lawrence University. We are very pleased to recommend your process and the way that we have worked together to St. Lawrence and anyone else.

Sincerely,

MacLachlan, Cornelius & Filoni, Inc.


Albert L. Filoni
President

ALF:ajm

AWARDS & CERTIFICATIONS



STV/Silver & Ziskind

233 Park Avenue South
New York, New York 10003
(212) 477-1900 fax: (212) 473-2780

March 11, 1996

Mr. James Tyler
Northland Associates, Inc.
4701 Buckley Road
Syracuse, N.Y. 13220

Dear Jim,

Thank you again for the wonderful dinner in celebration of a successful completion of the Fort Drum "Commons" project. I was truly impressed with the quality of workmanship, but as important, the team effort which, I believe was a major part to the success of the project.

As we discussed we look forward to joining together on other projects in the future.

Thanks again.

Regards to Mike and Mark.

Sincerely,

David Miles Ziskind AIA
Managing Principal

DMZ/ca

cc: Drew Renter

AWARDS & CERTIFICATIONS

DUNN & SGROMO ENGINEERS

100 EAST SENECA STREET, MANLIUS, NEW YORK 13104
Tel. (315) 682-8515 Fax (315) 682-4001

July 30, 1997

Mr. James M. Tyler, President
Northland Associates, Inc.
P. O. Box 2549
Syracuse, NY 13220

Dear Mr. Tyler:

We have greatly enjoyed working with Northland Associates, Inc. on the Hancock International Airport Lobby renovation project. The project completion, on time and within budget, is a direct result of Northland's construction competence and ability to work with the owner in implementing such a complicated design. I constantly receive complements concerning the project.

We would not hesitate to recommend Northland to any of our clients and look forward to future opportunities to work together. Feel free to use us as a reference on future projects.

Please call if you have any questions or comments.

Very truly yours,



Gregory Sgromo, P.E.

GS/lb

AWARDS & CERTIFICATIONS



December 20, 2002

To whom it may concern:

Northland Associates, Inc. is in the process of constructing the Life Sciences Building at the State University of New York campus at Albany, NY. Our office is the Architect for the project and the client is The State University Construction Fund. The building is a research facility of 174,000 square feet and includes standardized laboratories for life sciences research, a vivarium, an NMR suite and chemistry laboratories as well as a greenhouse.

Architecture
Interior Design
Land Planning
Strategic Facilities Planning
Historic Preservation
Urban Design
Landscape Architecture
Graphic Design

The building is a little under 80% complete at this time and has been under construction for about two years. Our relationship with Northland Associates has been professional on both sides and Northland's response to our concerns has been gratifying. An example of this positive relationship has been the curtain wall system for the building. During the mockup phase we pointed out several problem areas of quality and finish. These issues were taken seriously and addressed in the construction of the building. We were able to discuss our concerns, point out situations that were not acceptable and come to solutions that corrected the problems. This has been the case in several instances and the progress on the building reflects a mutual regard for the intent of the design and a willingness to discuss issues and work through problems. The dialog with Northland through their field superintendent has been and is very productive.

We look forward to completing this project in the spirit of cooperation that has characterized our experience to date with Northland Associates. It is always a pleasure for an architect to form a mutually respectful relationship with a contractor on such a complicated, intricate project.

Very truly yours,

Conrad D. Schaub, A.I.A.
Project Manager

Hillier
275 Seventh Avenue
New York, NY 10001-6706
212.629.4100 Tel
212.629.4487 Fax
hillier.com

Princeton
Newark
Philadelphia
Washington
Scranton
Kansas City
Dallas
London

AWARDS & CERTIFICATIONS



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW YORK DISTRICT CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, N.Y. 10278-0090

17 JUN 96

RECEIVED
14 JUN 96

Construction Division

AND ASSOCIATES

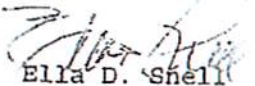
SUBJECT: Contract No. DACA51-93-C-0079 MOUT/MAC Range, Fort Drum,
NY

Northland Associates, Inc.
P.O. Box 2549
4701 Buckley Road
Syracuse, New York 13220-2549

Gentlemen:

The work under the subject contract is hereby accepted as complete. Enclosed please find your Construction Contractor Performance Evaluation for this project with an overall rating of outstanding.

Sincerely,


Ella D. Shell
Contracting Officer

Enclosures

AWARDS & CERTIFICATIONS

FOR OFFICIAL USE ONLY (WHEN COMPLETED)

PERFORMANCE EVALUATION (CONSTRUCTION)		1. CONTRACT NUMBER DACA51-93-C-0079	
		2. CEC NUMBER	
IMPORTANT: Be sure to complete Part III - Evaluation of Performance Elements on reverse.			
PART I - GENERAL CONTRACT DATA			
3. TYPE OF EVALUATION (X one)		4. TERMINATED FOR DEFAULT	
<input type="checkbox"/> INTERIM (List percentage <input type="checkbox"/> %) <input checked="" type="checkbox"/> FINAL		<input type="checkbox"/> AMENDED <input type="checkbox"/>	
5. CONTRACTOR (Name, Address, and ZIP Code)		6.a. PROCUREMENT METHOD (X one)	
NORTHLAND ASSOCIATES, Inc. P.O. Box 2549 4701 Buckley Road Syracuse, New York 13220-2549		<input checked="" type="checkbox"/> SEALED BID <input type="checkbox"/> NEGOTIATED	
		b. TYPE OF CONTRACT (X one)	
		<input checked="" type="checkbox"/> FIRM FIXED PRICE <input type="checkbox"/> COST REIMBURSEMENT <input type="checkbox"/> OTHER (Specify)	
7. DESCRIPTION AND LOCATION OF WORK			
MOUT/MAC Range Fort Drum, New York			
8. TYPE AND PERCENT OF SUBCONTRACTING			
Site Work - 15% Electrical - 2% Mechanical - 2% Structural - 60%			
9. FISCAL DATA		a. AMOUNT OF BASIC CONTRACT	b. TOTAL AMOUNT OF MODIFICATIONS
		\$5,496,000.00	\$ 314,100.00
		c. LIQUIDATED DAMAGES ASSESSED	d. NET AMOUNT PAID CONTRACTOR
		\$ 0.00	\$ 5,810,100.00
10. SIGNIFICANT DATES		a. DATE OF AWARD	b. ORIGINAL CONTRACT COMPLETION DATE
		27 Sep 93	8 Apr 95
		c. REVISED CONTRACT COMPLETION DATE	d. DATE WORK ACCEPTED
		31 Dec 95	18 Nov 94
PART II - PERFORMANCE EVALUATION OF CONTRACTOR			
11. OVERALL RATING (X appropriate block)			
<input checked="" type="checkbox"/> OUTSTANDING <input type="checkbox"/> ABOVE AVERAGE <input type="checkbox"/> SATISFACTORY <input type="checkbox"/> MARGINAL <input type="checkbox"/> UNSATISFACTORY (Explain in Item 20 on reverse)			
12. EVALUATED BY			
a. ORGANIZATION (Name and Address (Include ZIP Code))		b. TELEPHONE NUMBER (Include Area Code)	
US Army Corps of Engineers West Point Area Office		(914) 938-2812	
c. NAME AND TITLE		d. SIGNATURE	e. DATE
Dominick B. Passantino Acting Area Engineer		<i>[Signature]</i>	April 1996
13. EVALUATION REVIEWED BY			
a. ORGANIZATION (Name and Address (Include ZIP Code))		b. TELEPHONE NUMBER (Include Area Code)	
US Army Corps of Engineers New York District		(212) 264-0104	
c. NAME AND TITLE		d. SIGNATURE	e. DATE
ELLA SNEEL CONTRACTING DIVISION		<i>[Signature]</i>	25 Apr 96
14. AGENCY USE (Distribution, etc.)			

AWARDS & CERTIFICATIONS



2014

**EXCELLENCE IN PARTNERING AWARD
FOR INFORMAL PARTNERING**

is proudly presented to

**NORTHLAND ASSOCIATES
and
STATE UNIVERSITY CONSTRUCTION FUND**

for

Performing Arts Building
SUNY Potsdam
Potsdam, NY
Contract Number F005814

awarded jointly by

The AGC of New York State
and
The State University Construction Fund
at the
AGC NYS Construction Industry Conference
December 11, 2014

AWARDS & CERTIFICATIONS

2014 EXCELLENCE IN PARTNERING AWARD

Requested from AGC *"Brief description of your project (reasons why it stands out for partnering) - including the names of the project team to be recognized, as well as the names and titles of folks who will be accepting the award"*

Narrative

The new \$55 million LEED rated Performing Arts Building offered a unique opportunity to utilize the Partnering process. Multiple building envelope types, interior material systems, and a variety of volume elevations and angles that had been built into the design were in need of further coordination and required a strong Partnering effort between all of the parties concerned to ensure that the difficulties would be overcome and needed coordination would be realized. Each stakeholder expressed at the initial Partnering meeting the typically understood Time, Cost, Quality tradeoffs of a project were unwanted. The stakeholders desired the Performing Arts Building to meet the unique design vision, be of the highest quality, while still functioning as a state of the art facility when completed.

Upon award of this project's contract to Northland Associates, the State University Construction Fund convened a senior level meeting in which members of SUNY Potsdam, Northland, Gilbane staff and Pfeiffer's staff established project goals and voiced expectations. It was agreed that the success of this project would be determined by the level of combined efforts of each of the participating team members and that full commitment and dedication to the process would be paramount if the level of success sought was to be achieved.

This project was complicated in many ways. The technical specifications, complicated architecture, Campus coordination, aggressive schedule, and two winters in the New York North Country. If you can think of a reason or an event that could derail a project there is a likelihood that this team worked through it. The project's unique angled floors, walls, windows, curtain combined with marrying of different exterior products; curtain wall, phenolic Trespa panels, and terra cotta rain-screen systems required a large amount of coordination by Northland in order to knit together and in many cases re-engineer.

Throughout the construction process the team encountered a multitude of issues that challenged the forward momentum such as the discovery of unforeseen hazardous materials and utility issues, design related issues and late owner requested changes; all of which had the potential to de-rail the project's appropriately aggressive schedule.

The theater was essentially a project within a project. The cast in place concrete with embedded fixtures, audio visual components, seating, the orchestra section, and stage rigging were all complex. In order coordinate the installation of the balconies, millwork, rigging, mechanical, audio, and visual elements, Gilbane took the lead and developed a BIM model of the theater. Gilbane worked with the entire team including subcontractors and subconsultants to develop the model resolving conflicts in the model rather than in the field ensuring that the theater was ready for the first performance at the beginning of the Spring 2014 semester.

The project was a major endeavor for SUNY Potsdam. A new curriculum was planned around the theater, back of house, studio, and performing spaces to attract students and faculty to Potsdam. The project schedule to occupy the building for the Spring 2014 Semester was achieved, the expectations and requirements of SUNY Potsdam and their Theater and Dance departments met, and tracking for LEED Gold. This project was completed on time and on budget due to the Partnering effort of all involved.

BONDING CAPACITY



ROSE AND KIERNAN, INC.
INSURANCE AND SURETY BONDS
1173 Pittsford-Victor Road, Suite 147
PITTSFORD, NY 14534
www.rkinsurance.com
PHONE 585/264-0520 * FAX 585/249-5354

OFFICES LOCATED IN
Beacon Kingston
Buffalo Plattsburgh
East Greenbush Port Henry
Glens Falls Potsdam
Johnson City Watertown

October 29, 2014

RE: NORTHLAND ASSOCIATES, INC. -
Liverpool, New York

To Whom It May Concern:

Please let this correspondence serve as notice or confirmation relative to NORTHLAND ASSOCIATES, INC.'s surety capacity. NORTHLAND ASSOCIATES, INC.'s single contract parameter is in excess of \$150,000,000, and their aggregate capacity is in excess of \$250,000,000.

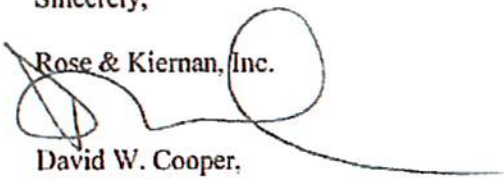
Their current surety of record is Liberty Mutual Insurance Company. We are proud to be their agent of record since 2004.

Please note that these limits are not set as maximums, in that if a larger project were to come up that would cause either limit to be exceeded, Liberty Mutual Insurance Company would be willing to discuss it.

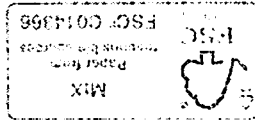
In our judgment, NORTHLAND ASSOCIATES, INC. has continually demonstrated the ability to deliver projects on time within budget. We have the utmost confidence in their management and project delivery; thereby, highly recommend them given they have experienced, knowledgeable personnel and are financially sound.

Should you have any questions, please feel free to contact us at your personal convenience. We regard NORTHLAND ASSOCIATES, INC. as one of the finest construction firms in America.

Sincerely,

A handwritten signature in black ink, appearing to read 'David W. Cooper', is written over the typed name.
Rose & Kiernan, Inc.

David W. Cooper,
Vice President
Attorney-in-Fact, Liberty Mutual Insurance Company



HOME		ezSearch		Advanced Search		GO		Log Off	
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Transaction Information

Award Type:	Definitive Contract	Prepared Date:	06/17/2009 14:28:55	Prepared User:	02.GAYLE.SCHUSTER.GSA.GOV
Award Status:	Final	Last Modified Date:	06/23/2009 11:44:39	Last Modified User:	02.GAYLE.SCHUSTER.GSA.GOV
Closed Status:	No	Closed Status Date:		Closed By:	

Document Information

Award ID:	4740	Procurement Identifier	GS02P05DTC3004N	Modification No	PSG4	Trans No	0
Referenced IDV ID:							
Reason For Modification:	SUPPLEMENTAL AGREEMENT FOR WORK WITHIN SCOPE						
Solicitation ID:	GS02P05DTC3004N						
	Agency Main Sub Identifier	Account	Initiative				
Treasury Account Symbol:	Select One						

Dates		Amounts	
Date Signed (mm/dd/yyyy) :	06/15/2009	Action Obligation:	Current \$2,368.00 Total \$51,554,447.00
Effective Date (mm/dd/yyyy) :	06/15/2009	Base And Exercised Options Value:	\$2,368.00 \$51,554,447.00
Completion Date (mm/dd/yyyy) :	03/02/2009	Base and All Options Value (Total Contract Value):	\$2,368.00 \$51,554,447.00
Est. Ultimate Completion Date (mm/dd/yyyy) :	03/02/2009		
Fee Paid for Use of IDV:		\$0.00	

Purchaser Information

Contracting Office Agency ID:	4740	Contracting Office Agency Name:	PUBLIC BUILDINGS SERVICE
Contracting Office ID:	DT000	Contracting Office Name:	GSA PBS R2 ACQUISITION MANAGEMENT DIV
Funding Agency ID:		Funding Agency Name:	
Funding Office ID:		Funding Office Name:	
Foreign Funding:	Not Applicable	Reason For Inter-Agency Contracting:	Select One

Contractor Information

SAM Exception:				Remove Exception
DUNS No:	058917048	Street:	4701 BUCKLEY RD	
Contractor Name From Contract:	NORTHLAND ASSOCIATES INCORPORATE	Street2:		
Vendor Name:	NORTHLAND ASSOCIATES INCORPORATE	City:	LIVERPOOL	
DBAN:		State:	NY	Zip: 130883627
		Country:	UNITED STATES	
		Phone:		
		Fax No:		
		Congressional District:	NEW YORK 25	

Business Category

Organization Type:	
Number of Employees:	100
State of Incorporation:	
Country of Incorporation:	
Annual Revenue:	\$50,000,000

Contract Data

Type of Contract:	Firm Fixed Price
Multiyear Contract:	No
Major Program:	
National Interest Action:	None
Cost Or Pricing Data:	Select One
Purchase Card Used As Payment Method:	No

Undefined Action:	No	
Performance Based Service Acquisition:	No - Service where PBA is not used.	
* FY 2004 and prior; 80% or more specified as performance requirement		
* FY 2005 and later; 50% or more specified as performance requirement		
Contingency Humanitarian Peacekeeping Operation:	Select One	
Contract Financing:	Select One	
Cost Accounting Standards Clause:	Not Applicable exempt from CAS	
Consolidated Contract:	No	
Number Of Actions:	1	

Legislative Mandates		Principal Place of Performance		
Clinger-Cohen Act:	No	Principal Place Of Performance Code:	State	Location
Service Contract Act:	Not Applicable		NY	Country
Walsh-Healey Act:	Not Applicable	Principal Place Of Performance County Name:	CLINTON	USA
Davis Bacon Act:	Yes	Principal Place Of Performance City Name:	CHAMPLAIN	
Interagency Contracting Authority:	Not Applicable	Congressional District Place Of Performance:	23	
Other Interagency Contracting Statutory Authority:		Place Of Performance Zip Code(+4):	12919 - 4440	USPS ZIP Codes

Product Or Service Information

Product/Service Code:	Y111	Description: CONSTRUCTION OF OFFICE BUILDINGS
Principal NAICS Code:	236220	Description: COMMERCIAL AND INSTITUTIONAL BUILDING CONSTRU
Bundled Contract:	Not a bundled requirement	
DOD Acquisition Program:	Description:	
Country of Product or Service Origin:	USA	UNITED STATES
Place of Manufacture:	Select One	
Domestic or Foreign Entity:	Select One	
Recovered Materials/Sustainability:	No Clauses Included and No Sustainability Included	OMB Policy on Sustainable Acquisition
InfoTech Commercial Item Category:	Select One	
Claimant Program Code:	Description:	
Sea Transportation:	Select One	
GFP Provided Under This Action:	Transaction does not use GFP	
Use Of EPA Designated Products:	Not Required	
Description Of Requirement:	Phase 3 Construction of a New Passenger Vehicle Processing Facility and Associated Site Improvements, US Land Port of Entry, Champlain, NY	

Competition Information

Extent Competed For Referenced IDV:	
Extent Competed:	Full and Open Competition
Solicitation Procedures:	Negotiated Proposal/Quote
Type Of Set Aside:	No set aside used.
Evaluated Preference:	No Preference used
SBIR/STTR:	Select One
Statutory Exception To Fair Opportunity:	Select One
Other Than Full And Open Competition:	Select One
Local Area Set Aside:	No
FedBizOpps:	Yes
A76 Action:	No
Commercial Item Acquisition Procedures:	Commercial Item Procedures not used
Number Of Offers Received:	2
Small Business Competitiveness Demonstration Program:	
Commercial Item Test Program:	No
Preference Programs / Other Data	

Contracting Officer's Business Size Selection:

Subcontract Plan:

Price Evaluation Percent Difference:

Reason Not Awarded To Small Disadvantaged Business:

Reason Not Awarded To Small Business:

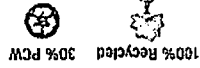
Other than Small Business ▼

Plan Required - Incentive Not Included ▼

0 %

Select One ▼

Select One ▼



Contract ID	Modification Number	Date Signed	Action Obligation (\$)	Global Vendor Name
CA510198506D0326DACA5185C0126	0	6/15/1985	\$290,000	NORTHLAND ASSOCIATES INCORPORATED
DACA5185C0126	0	6/15/1985	\$0	NORTHLAND ASSOCIATES INCORPORATED
CA510198507D0371DACA5185C0144	0	7/15/1985	\$1,043,000	NORTHLAND ASSOCIATES INCORPORATED
DACA5185C0144	0	7/15/1985	\$0	NORTHLAND ASSOCIATES INCORPORATED
CA510198509D0483DACA5185C0216	0	9/15/1985	\$4,290,000	NORTHLAND ASSOCIATES INCORPORATED
CA510198605C0211DACA5185C0216	0	5/15/1986	\$32,000	NORTHLAND ASSOCIATES INCORPORATED
CA510198610C0117DACA5185C0216	0	10/15/1986	\$94,000	NORTHLAND ASSOCIATES INCORPORATED
CA510198610C0118DACA5185C0216	0	10/15/1986	\$28,000	NORTHLAND ASSOCIATES INCORPORATED
CA510198612C0178DACA5185C0216	0	12/15/1986	\$30,000	NORTHLAND ASSOCIATES INCORPORATED
CA510198709C0645DACA5185C0216	0	9/15/1987	\$74,000	NORTHLAND ASSOCIATES INCORPORATED
CA510198709D0603DACA5187C0186	0	9/15/1987	\$1,819,000	NORTHLAND ASSOCIATES INCORPORATED
DACA5187C0186	0	9/15/1987	\$0	NORTHLAND ASSOCIATES INCORPORATED
KF360198709D0172DAKF3687C0084	0	9/15/1987	\$2,532,000	NORTHLAND ASSOCIATES INCORPORATED
CA510198710C0016DACA5185C0072	0	10/15/1987	\$39,000	NORTHLAND ASSOCIATES INCORPORATED
DAKF3687C0084	0	4/15/1988	\$0	NORTHLAND ASSOCIATES INCORPORATED
KF360198804C0102DAKF3687C0084	0	4/15/1988	\$50,000	NORTHLAND ASSOCIATES INCORPORATED
HA300199207DDAHA3092C0013	0	7/15/1992	\$3,673,000	NORTHLAND ASSOCIATES INCORPORATED
HA300199305DDAHA3092C0013	0	5/15/1993	\$27,000	NORTHLAND ASSOCIATES INCORPORATED
CA510199309DDACA5193C0079	0	9/15/1993	\$5,496,000	NORTHLAND ASSOCIATES INCORPORATED
HA300199311BDAHA3092C0013	0	11/15/1993	\$46,000	NORTHLAND ASSOCIATES INCORPORATED
HA300199408BDAHA3093C0013	0	8/15/1994	-\$25,000	NORTHLAND ASSOCIATES INCORPORATED
HA300199408DDAHA3094C0010	0	8/15/1994	\$1,516,000	NORTHLAND ASSOCIATES INCORPORATED
CA510199409BDACA5193C0079	0	9/15/1994	\$26,000	NORTHLAND ASSOCIATES INCORPORATED
HA300199309DDAHA3093C0013	5	10/15/1994	\$34,000	NORTHLAND ASSOCIATES INCORPORATED
HA300199309DDAHA3093C0013	35	7/15/1995	\$27,000	NORTHLAND ASSOCIATES INCORPORATED
HA300199309DDAHA3093C0013	39	8/15/1995	\$100,000	NORTHLAND ASSOCIATES INCORPORATED
CA510199309DDACA5193C0079	45	12/15/1995	\$72,000	NORTHLAND ASSOCIATES INCORPORATED
CA510199309DDACA5193C0079	46	12/15/1995	\$122,000	NORTHLAND ASSOCIATES INCORPORATED
CA510199309DDACA5193C0079	73	12/15/1995	\$41,000	NORTHLAND ASSOCIATES INCORPORATED
HA300199309DDAHA3093C0013	20	1/15/1996	\$50,000	NORTHLAND ASSOCIATES INCORPORATED
HA300199309DDAHA3093C0013	23	1/15/1996	\$33,000	NORTHLAND ASSOCIATES INCORPORATED
HA300199609DDAHA3096C0015	0	9/15/1996	\$0	NORTHLAND ASSOCIATES INCORPORATED
HA300199609DDAHA3096C0015	82	9/15/1996	\$8,190,000	NORTHLAND ASSOCIATES INCORPORATED
DACA5100C0027	0	9/25/2000	\$9,366,130	NORTHLAND ASSOCIATES INCORPORATED

DACA5100C0027	P00001	12/1/2000	\$9,174,340	NORTHLAND ASSOCIATES INCORPORATED
DACA5100C0027	A00001	10/3/2002	\$21,150	NORTHLAND ASSOCIATES INCORPORATED
DACA5100C0027	P00005	9/30/2003	\$108,443	NORTHLAND ASSOCIATES INCORPORATED
W9123605C0061	0	9/1/2005	\$6,118,535	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	0	3/23/2006	\$47,494,625	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC01	6/30/2006	\$405,000	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC02	6/30/2006	\$62,895	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC03	6/30/2006	\$8,669	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PA04	7/6/2006	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC01A	7/6/2006	\$500	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PA05	7/19/2006	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC05	7/19/2006	\$89,000	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC06	7/28/2006	\$627,000	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PA08	8/23/2006	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC07	8/23/2006	\$832	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PA07	8/24/2006	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC08	8/28/2006	\$22,000	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC09	8/28/2006	\$31,895	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC10	8/28/2006	\$37,057	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC11	10/20/2006	\$5,691	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC12	10/20/2006	\$33,481	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC13	10/20/2006	\$43,091	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC14	10/23/2006	\$18,150	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC15	10/23/2006	\$1,020	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC16	11/3/2006	\$220,226	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC17	11/3/2006	\$2,640	NORTHLAND ASSOCIATES INCORPORATED
W9123605C0061	A00001	11/20/2006	\$10,714	NORTHLAND ASSOCIATES INCORPORATED
W9123605C0061	A00002	11/21/2006	\$1,400	NORTHLAND ASSOCIATES INCORPORATED
W9123605C0061	A00003	11/27/2006	\$12,163	NORTHLAND ASSOCIATES INCORPORATED
W9123605C0061	A00004	11/28/2006	\$25,172	NORTHLAND ASSOCIATES INCORPORATED
W9123605C0061	A00005	11/28/2006	\$7,868	NORTHLAND ASSOCIATES INCORPORATED
W9123605C0061	A00006	11/28/2006	\$7,287	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC18	11/29/2006	\$6,492	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC19	11/29/2006	\$10,330	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC20	11/29/2006	\$4,446	NORTHLAND ASSOCIATES INCORPORATED

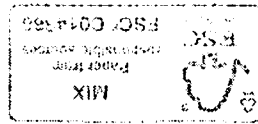
GS02P05DTC3004N	PC21	11/29/2006	\$6,136	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC22	11/29/2006	\$25,917	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC23	11/29/2006	\$63,941	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC24	11/29/2006	\$116,287	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC26	11/29/2006	\$8,580	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC27	11/29/2006	\$654	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC28	11/29/2006	\$6,017	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC29	11/29/2006	\$5,825	NORTHLAND ASSOCIATES INCORPORATED
W9123605C0061	A00007	11/29/2006	\$11,807	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC30	12/8/2006	\$5,137	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC31	12/8/2006	\$2,842	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PDL1	12/14/2006	\$115,628	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PDL2	12/27/2006	\$35,876	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PDL3	1/4/2007	\$18,487	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PDL05	1/18/2007	\$9,008	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PDL4	1/18/2007	\$17,047	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PDL06	1/26/2007	\$46,747	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PDL07	1/29/2007	\$349	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC34	1/30/2007	\$3,975	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC35	1/30/2007	-\$5,582	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC36	1/30/2007	\$9,748	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC37	1/30/2007	\$12,095	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC39	1/30/2007	\$55,546	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC40	1/30/2007	\$4,547	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC41	1/30/2007	\$6,377	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC38	1/31/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PA43	2/16/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC32	3/6/2007	\$30,742	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC33	3/6/2007	-\$1,955	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC44	3/6/2007	\$1,600	NORTHLAND ASSOCIATES INCORPORATED
W9123605C0061	A00008	3/20/2007	\$11,242	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC43	5/2/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC46	5/9/2007	\$3,614	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC47	5/9/2007	\$1,756	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC48	5/9/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED

GS02P05DTC3004N	PC53	5/11/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC56	5/11/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC42	5/15/2007	\$434	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC49	5/15/2007	\$37,677	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC49A	5/15/2007	\$1,801	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC50	5/15/2007	\$14,941	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC51	5/15/2007	\$277,416	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC52	5/15/2007	\$1,542	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC55	5/15/2007	-\$1,098	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC54	5/18/2007	\$4,417	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC59	5/18/2007	\$10,850	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC61	5/21/2007	\$2,560	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC62	5/21/2007	\$4,062	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC63	5/21/2007	-\$1,146	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	- PC64	5/21/2007	\$1,145	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC65	5/21/2007	\$16,198	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC66	5/21/2007	\$47,221	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC67	5/21/2007	-\$3,979	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC68	6/1/2007	\$135,750	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PDL08	6/4/2007	\$38,194	NORTHLAND ASSOCIATES INCORPORATED
W9123605C0061	A00009	6/8/2007	\$7,083	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC69	6/14/2007	-\$13,419	NORTHLAND ASSOCIATES INCORPORATED
GS02P06DTC0008	0	6/18/2007	\$50,504,000	NORTHLAND ASSOCIATES INCORPORATED
GS02P06DTC0008	PA08	6/21/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
W9123605C0061	A00010	6/27/2007	\$6,274	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC70	7/6/2007	\$2,271	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PA84	7/10/2007	\$45	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC72	7/18/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC71	7/19/2007	-\$5,358	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC82	7/19/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC84	7/19/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC73	7/24/2007	\$10,480	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC74	7/24/2007	\$4,529	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC75	7/24/2007	\$4,405	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC77	7/24/2007	\$854	NORTHLAND ASSOCIATES INCORPORATED

GS02P05DTC3004N	PC76	7/26/2007	\$548	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC78	7/26/2007	\$8,586	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC79	7/26/2007	\$45,498	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC80	7/26/2007	-\$161	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC81	7/26/2007	\$903	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC83	7/26/2007	\$3,047	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC57	8/10/2007	\$42,153	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC58	8/10/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC60	8/13/2007	-\$11,975	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC85	8/17/2007	\$3,582	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC87	8/17/2007	\$1,553	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PDL09	8/17/2007	\$15,500	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PA85	8/29/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P06DTC0008	PC01	8/31/2007	\$1,107,000	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PA87	9/11/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC86	9/11/2007	\$5,060	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC90	9/21/2007	\$3,750	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PA88	9/24/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PA81	9/25/2007	-\$45	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC89	9/25/2007	\$3,981	NORTHLAND ASSOCIATES INCORPORATED
W9123605C0061	P00001	9/27/2007	\$13,650	NORTHLAND ASSOCIATES INCORPORATED
GS02P06DTC0008	PC02	10/3/2007	\$464,700	NORTHLAND ASSOCIATES INCORPORATED
GS02P06DTC0008	PC03	10/9/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC88	10/10/2007	\$10,731	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC91	10/10/2007	\$1,410	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC92	10/10/2007	-\$2,616	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC93	10/10/2007	-\$30,068	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PCA3	10/10/2007	-\$771	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PA90	10/11/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC94	10/11/2007	\$625	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC98	10/11/2007	\$16,478	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PCA1	10/11/2007	\$1,344	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PCA2	10/11/2007	\$8,766	NORTHLAND ASSOCIATES INCORPORATED
GS02P06DTC0008	PC04	10/11/2007	\$10,000	NORTHLAND ASSOCIATES INCORPORATED
GS02P06DTC0008	PC05	10/12/2007	\$199,000	NORTHLAND ASSOCIATES INCORPORATED

GS02P05DTC3004N	PC99	10/16/2007	\$2,458	NORTHLAND ASSOCIATES INCORPORATED
GS02P06DTC0008	PA06	10/16/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC95	10/26/2007	-\$4,191	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PCA6	10/26/2007	\$50,612	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PCA8	10/26/2007	\$17,203	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC96	10/30/2007	\$26,779	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PC97	10/30/2007	\$9,589	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PCA4	10/30/2007	-\$1,663	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PCA5	10/30/2007	\$175,392	NORTHLAND ASSOCIATES INCORPORATED
GS02P06DTC0008	PC07	11/1/2007	\$18,833	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PCA7	11/2/2007	\$32,483	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PCA9	11/5/2007	\$102,288	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PCB3	11/8/2007	\$0	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PCB1	11/14/2007	\$1,897	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PCB2	11/14/2007	\$536	NORTHLAND ASSOCIATES INCORPORATED
GS02P05DTC3004N	PCB4	12/19/2007	\$766	NORTHLAND ASSOCIATES INCORPORATED

\$157,821,592



HOME		ezSearch		Advanced Search		GO		Log Off	
New	Save Draft	Validate	Approve	Correct	Modify	Save Template	Delete	Print	
Close Out	Help								
Transaction Information									
Award Type:	Definitive Contract	Prepared Date:	02/16/2007 16:19:52	Prepared User:	02.GAYLE.SCHUSTER.GSA.GOV				
Award Status:	Final	Last Modified Date:	02/21/2007 10:09:30	Last Modified User:	02.GAYLE.SCHUSTER.GSA.GOV				
Closed Status:	No	Closed Status Date:		Closed By:					
Document Information									
Award ID:	4740	Agency	Procurement Identifier	Modification No	Trans No				
Referenced IDV ID:			GS02P05DTC3004N	PA43	0				
Reason For Modification:	OTHER ADMINISTRATIVE ACTION								
Solicitation ID:	GS02P05DTC3004N								
Dates									
Date Signed (mm/dd/yyyy):	02/16/2007			Amounts		Current		Total	
Effective Date (mm/dd/yyyy):	02/16/2007			Action Obligation:		\$0.00		\$51,554,447.00	
Completion Date (mm/dd/yyyy):	02/16/2007			Base And Exercised Options Value:		\$0.00		\$51,554,447.00	
Est. Ultimate Completion Date (mm/dd/yyyy):	03/02/2009			Base and All Options Value (Total Contract Value):		\$0.00		\$51,554,447.00	
				Fee Paid for Use of IDV:		\$0.00			
Purchaser Information									
Contracting Office Agency ID:	4740	Contracting Office Agency Name:	PUBLIC BUILDINGS SERVICE						
Contracting Office ID:	DT000	Contracting Office Name:	GSA PBS R2 ACQUISITION MANAGEMENT DIV						
Funding Agency ID:		Funding Agency Name:							
Funding Office ID:		Funding Office Name:							
Funded By Foreign Entity:		Reason For Inter-Agency Contracting:	Select One						
Contractor Information									
SAM Exception:									
Vendor Name: NORTHLAND ASSOCIATES INCORPORATE									
DBAN:				Veteran Owned		Asian Pacific		Tribal Government	
Street:	4701 BUCKLEY RD			8(a) Firm		Service Disabled Vet		Black Owned	
Street2:				Hub Zone		Local Government		Native American	
City:	LIVERPOOL			SDB		Minority Institution		Asian Indian	
State:	NY	Zip:	130883627	JWOD (Sheltered Workshop)		American Indian		Non-Profit Organization	
Congressional District:	NEW YORK 25			HBCU		State Government		Hispanic Owned	
Country:	UNITED STATES			Educational Institution		Federal Government		Emerging Small	
Phone:				Women Owned		Minority Owned Business		Hospital	
Fax No:									
DUNS No:	0589170480000								
Contractor Name From Contract:	NORTHLAND ASSOCIATES INCORPORATE			Organization Type		Number of Employees		Annual Revenue	
Contract Data						100		\$50,000,000	
Type of Contract:				Fixed Price					
Multi Year Contract:									
Major Program:									
National Interest Action:				None					
Cost Or Pricing Data:				Select One					
Purchase Card Used As Payment Method:									
Letter Contract:									
Performance Based Service Acquisition:									
* FY 2004 and prior; 80% or more specified as performance requirement									
* FY 2005 and later; 50% or more specified as performance requirement									
Contingency Humanitarian Peacekeeping Operation:				Select One					
Contract Financing:				Select One					
Cost Accounting Standards Clause:									
Number Of Actions:									

1

Consolidated Contract:

Legislative Mandates

Principal Place of Performance

Clinger Cohen Act:

Principal Place Of Performance Code:

State	Location	Country
NY	13739	USA

Service Contract Act:

Principal Place Of Performance County Name:

CLINTON

Walsh-Healey Act:

Principal Place Of Performance City Name:

CHAMPLAIN

Davis Bacon Act:

Congressional District Place Of Performance:

23

Place Of Performance Zip Code(+4):

12919 - 4440  USPS ZIP Codes

Product Or Service Information


Product/Service Code:

Y111

 Description: CONSTRUCTION OF OFFICE BUILDINGS

Principal NAICS Code:


236220

 Description: COMMERCIAL AND INSTITUTIONAL BUILDING CONSTRU

Bundled Contract:

Select One

DOD Acquisition Program:

 Description:

Country of Product or Service Origin:

USA  UNITED STATES

Place of Manufacture:

Select One

Recovered Materials/Sustainability:

No Clauses Included and No Sustainability Included

 OMB Policy on Sustainable Acquisition

InfoTech Commercial Item Category:

Select One

Claimant Program Code:

 Description:

Sea Transportation:

Select One

GFP Provided Under This Action:

Use Of EPA Designated Products:

Not Required

Description Of Requirement:
(4000 characters)

Phase 3 Construction for a New Vehicle Processing Facility and Associated site Improvements, US Land Port of Entry, Champlain, NY

Competition Information

Extent Competed For Referenced IDV:

Extent Competed:

Full and Open Competition

Solicitation Procedures:

Negotiated Proposal/Quote

Type Of Set Aside:

No set aside used.

Evaluated Preference:

No Preference used

SBIR/STTR:

Select One

Statutory Exception To Fair Opportunity:

Select One

Other Than Full And Open Competition:

Select One

Local Area Set Aside:

Select One

Number Of Offers Received:

2

Pre Award FBO Synopsis:

Small Business Competitiveness Demonstration Program:

SBA/OFPP Synopsis Waiver Pilot:

Commercial Item Test Program:

Alternative Advertising:

Commercial Item Acquisition Procedures:

A76 Action:

Preference Programs / Other Data

Contracting Officer's Business Size Selection:

Other than Small Business

Subcontract Plan:

Plan Required - Incentive Not Included

Price Evaluation Percent Difference:

0 %

Reason Not Awarded To Small Disadvantaged Business:

Select One

Reason Not Awarded To Small Business:

Select One

HOME		ezSearch		Advanced Search		GO		Log Off	
New		Save Draft		Validate		Approve		Correct	
Close Out		Help		Modify		Save Trnpl		Delete	
Print									

Transaction Information

Award Type: Definitive Contract Prepared Date: 04/30/2008 17:23:38 Prepared User: 02.GAYLE.SCHUSTER.GSA.GOV
Award Status: Final Last Modified Date: 05/08/2008 09:25:03 Last Modified User: 02.GAYLE.SCHUSTER.GSA.GOV
Closed Status: No Closed Status Date: Closed By:

Document Information

Award ID:	Agency	Procurement Identifier	Modification No	Trans No
4740	...	GS02P05DTC3004N	PCC1	0

Referenced IDV ID:

...

Reason For Modification:

CHANGE ORDER

Solicitation ID:

GS02P05DTC3004N

Dates

Date Signed (mm/dd/yyyy): 04/30/2008
Effective Date (mm/dd/yyyy): 04/30/2008
Completion Date (mm/dd/yyyy): 05/31/2008
Est. Ultimate Completion Date (mm/dd/yyyy): 03/02/2009

Amounts

	Current	Total
Action Obligation:	\$71,121.00	\$51,554,447.00
Base And Exercised Options Value:	\$71,121.00	\$51,554,447.00
Base and All Options Value (Total Contract Value):	\$71,121.00	\$51,554,447.00

Fee Paid for Use of IDV:

\$0.00

Purchaser Information

Contracting Office Agency ID: 4740 Contracting Office Agency Name: PUBLIC BUILDINGS SERVICE
Contracting Office ID: DT000 Contracting Office Name: GSA PBS R2 ACQUISITION MANAGEMENT DIV
Funding Agency ID: Funding Agency Name:
Funding Office ID: Funding Office Name:
Funded By Foreign Entity: ☐ Reason For Inter-Agency Contracting: Select One

Contractor Information

SAM Exception:

Remove Exception

Vendor Name: NORTHLAND ASSOCIATES INCORPORATE

DBAN:

4701 BUCKLEY RD

Street2:

LIVERPOOL

City:

State: NY Zip: 130883627

Congressional District:

NEW YORK 25

Country:

UNITED STATES

Phone:

Fax No:

DUNS No:

0589170480000

Contractor Name From Contract:

NORTHLAND ASSOCIATES INCORPORATE

Socio Economic Data

☐ Veteran Owned ☐ Asian Pacific ☐ Tribal Government
☐ 8(a) Firm ☐ Service Disabled Vet ☐ Black Owned
☐ Hub Zone ☐ Local Government ☐ Native American
☐ SDB ☐ Minority Institution ☐ Asian Indian
☐ JWOD (Sheltered Workshop) ☐ American Indian ☐ Non-Profit Organization
☐ HBCU ☐ State Government ☐ Hispanic Owned
☐ Educational Institution ☐ Federal Government ☐ Emerging Small
☐ Women Owned ☐ Minority Owned Business ☐ Hospital

Organization Type	Number of Employees	Annual Revenue
	100	\$50,000,000

Contract Data

Type of Contract: Fixed Price
Multi Year Contract: ☐
Major Program:
National Interest Action: None
Cost Or Pricing Data: Select One
Purchase Card Used As Payment Method: ☐
Letter Contract: ☐
Performance Based Service Acquisition: ☐
* FY 2004 and prior; 80% or more specified as performance requirement
* FY 2005 and later; 50% or more specified as performance requirement
Contingency Humanitarian Peacekeeping Operation: Select One
Contract Financing: Select One
Cost Accounting Standards Clause: ☐
Number Of Actions:

1

Consolidated Contract:

Legislative Mandates

Principal Place of Performance

Clinger Cohen Act:

☐

Principal Place Of Performance Code:

State Location Country

NY 13739 USA

Service Contract Act:

☐

Principal Place Of Performance County Name:

CLINTON

Walsh-Healey Act:

☐

Principal Place Of Performance City Name:

CHAMPLAIN

Davis Bacon Act:

☒

Congressional District Place Of Performance:

23

Place Of Performance Zip Code(+4):

12919 - 4440

USPS ZIP Codes

Product Or Service Information

Product/Service Code:

Y111

Description: CONSTRUCTION OF OFFICE BUILDINGS

Principal NAICS Code:

236220

Description: COMMERCIAL AND INSTITUTIONAL BUILDING CONSTRU

Bundled Contract:

Select One

DOD Acquisition Program:

Description:

Country of Product or Service Origin:

USA UNITED STATES

Place of Manufacture:

Select One

Recovered Materials/Sustainability:

No Clauses Included and No Sustainability Included

OMB Policy on Sustainable Acquisition

InfoTech Commercial Item Category:

Select One

Claimant Program Code:

Description:

Sea Transportation:

Select One

GFP Provided Under This Action:

☐

Use Of EPA Designated Products:

Not Required

Description Of Requirement:
(4000 characters)Phase 3 Construction for a New Vehicle Processing Facility and
Associated site Improvements, US Land Port of Entry, Champlain, NY

Competition Information

Extent Competed For Referenced IDV:

Extent Competed:

Full and Open Competition

Solicitation Procedures:

Negotiated Proposal/Quote

Type Of Set Aside:

No set aside used.

Evaluated Preference:

No Preference used

SBIR/STTR:

Select One

Statutory Exception To Fair Opportunity:

Select One

Other Than Full And Open Competition:

Select One

Local Area Set Aside:

Select One

Number Of Offers Received:

2

Pre Award FBO Synopsis:

☒

Small Business Competitiveness Demonstration Program:

☐

SBA/OFPP Synopsis Waiver Pilot:

☐

Commercial Item Test Program:

☐

Alternative Advertising:

☐

Commercial Item Acquisition Procedures:

☐

A76 Action:

☐

Preference Programs / Other Data

Contracting Officer's Business Size Selection:

Other than Small Business

Subcontract Plan:

Plan Required - Incentive Not Included

Price Evaluation Percent Difference:

0 %

Reason Not Awarded To Small Disadvantaged Business:

Select One

Reason Not Awarded To Small Business:

Select One

HOME		ezSearch		Advanced Search		GO		Log Off	
New	Save Draft	Validate	Approve	Correct	Modify	Save Template	Delete	Print	
Close Out		Help							

Transaction Information

Award Type: Definitive Contract **Prepared Date:** 06/24/2009 10:29:26 **Prepared User:** 02.GAYLE.SCHUSTER.GSA.GOV
Award Status: Final **Last Modified Date:** 06/29/2009 17:01:39 **Last Modified User:** 02.GAYLE.SCHUSTER.GSA.GOV
Closed Status: No **Closed Status Date:** **Closed By:**

Document Information

Award ID:	Agency	Procurement Identifier	Modification No	Trans No
4740	...	GS02P05DTC3004N	PSG6	0

Referenced IDV ID: ...
Reason For Modification: SUPPLEMENTAL AGREEMENT FOR WORK WITHIN SCOPE ...
Solicitation ID: GS02P05DTC3004N
Agency Main Sub Identifier Account Account **Initiative**

Treasury Account Symbol: **Select One**

Dates

Dates	Amounts
Date Signed (mm/dd/yyyy) : 06/23/2009	Current Total
Effective Date (mm/dd/yyyy) : 06/23/2009	Action Obligation: \$15,559.00 \$51,554,447.00
Completion Date (mm/dd/yyyy) : 03/02/2009	Base And Exercised Options Value: \$15,559.00 \$51,554,447.00
Est. Ultimate Completion Date (mm/dd/yyyy) : 12/31/2010	Base and All Options Value (Total Contract Value): \$15,559.00 \$51,554,447.00
	Fee Paid for Use of IDV: \$0.00

Purchaser Information

Contracting Office Agency ID: 4740	Contracting Office Agency Name: PUBLIC BUILDINGS SERVICE
Contracting Office ID: DT000	Contracting Office Name: GSA PBS R2 ACQUISITION MANAGEMENT DIV
Funding Agency ID: ...	Funding Agency Name: ...
Funding Office ID: ...	Funding Office Name: ...
Foreign Funding: Not Applicable	Reason For Inter-Agency Contracting: Select One

Contractor Information

SAM Exception: ... [Remove Exception](#)

DUNS No: 058917048	Street: 4701 BUCKLEY RD
Contractor Name From Contract: NORTHLAND ASSOCIATES INCORPORATED	Street2: ...
Vendor Name: NORTHLAND ASSOCIATES INCORPORATE	City: LIVERPOOL
DBAN: ...	State: NY Zip: 130883627
	Country: UNITED STATES
	Phone: ...
	Fax No: ...
	Congressional District: NEW YORK 25

[Show Details](#)

Business Category

Organization Type: ...
Number of Employees: 100
State of Incorporation: ...
Country of Incorporation: ...
Annual Revenue: \$50,000,000

Contract Data

Type of Contract: Firm Fixed Price
Multiyear Contract: No
Major Program: ...
National Interest Action: None
Cost Or Pricing Data: Select One
Purchase Card Used As Payment Method: No

Unidentified Action:

Performance Based Service Acquisition:

* FY 2004 and prior; 80% or more specified as performance requirement
 * FY 2005 and later; 50% or more specified as performance requirement

Contingency Humanitarian Peacekeeping Operation:

Contract Financing:

Cost Accounting Standards Clause:

Consolidated Contract:

Number Of Actions:

No

No - Service where PBA is not used.

Select One

Select One

Not Applicable exempt from CAS

No

1

Legislative Mandates

Clinger-Cohen Act:

No

Service Contract Act:

Not Applicable

Walsh-Healey Act:

Not Applicable

Davis Bacon Act:

Yes

Interagency Contracting Authority:

Not Applicable

Other Interagency Contracting Statutory Authority:
(1000 characters)

Principal Place of Performance

Principal Place Of Performance Code:

State Location Country

NY

USA

Principal Place Of Performance County Name:

CLINTON

Principal Place Of Performance City Name:

CHAMPLAIN

Congressional District Place Of Performance:

23

Place Of Performance Zip Code(+4):

12919 - 4440

USPS ZIP Codes

Product Or Service Information

Product/Service Code:

Y111



Description: CONSTRUCTION OF OFFICE BUILDINGS

Principal NAICS Code:

236220



Description: COMMERCIAL AND INSTITUTIONAL BUILDING CONSTRU

Bundled Contract:

Not a bundled requirement

DOD Acquisition Program:



Description:

Country of Product or Service Origin:

USA



UNITED STATES

Place of Manufacture:

Select One

Domestic or Foreign Entity:

Select One

Recovered Materials/Sustainability:

No Clauses Included and No Sustainability Included

OMB Policy on Sustainable Acquisition

InfoTech Commercial Item Category:

Select One

Claimant Program Code:



Description:

Sea Transportation:

Select One

GFP Provided Under This Action:

Transaction does not use GFP

Use Of EPA Designated Products:

Not Required

Description Of Requirement:
(4000 characters)

Phase 3 Construction of a New Passenger Vehicle Processing and Associated Site Improvements, US Land Port of Entry, Champlain, NY

Competition Information

Extent Competed For Referenced IDV:

Extent Competed:

Full and Open Competition

Solicitation Procedures:

Negotiated Proposal/Quote

Type Of Set Aside:

No set aside used.

Evaluated Preference:

No Preference used

SBIR/STTR:

Select One

Statutory Exception To Fair Opportunity:

Select One

Other Than Full And Open Competition:

Select One

Local Area Set Aside:

No

FedBizOpps:

Yes

A76 Action:

No

Commercial Item Acquisition Procedures:

Commercial Item Procedures not used

Number Of Offers Received:

2

Small Business Competitiveness Demonstration Program:

Commercial Item Test Program:

No

Preference Programs / Other Data

Contracting Officer's Business Size Selection:

Other than Small Business ▼

Subcontract Plan:

Plan Required - Incentive Not Included ▼

Price Evaluation Percent Difference:

0 %

Reason Not Awarded To Small Disadvantaged Business:

Select One ▼

Reason Not Awarded To Small Business:

Select One ▼

HOME		ezSearch		Advanced Search		GO	Log Off
New		Save Draft		Validate		Approve	
Close Out		Help		Correct		Modify	
Save Impl		Delete		Print			

Transaction Information

Award Type:	Definitive Contract	Prepared Date:	04/15/2010 15:39:31	Prepared User:	02.GAYLE.SCHUSTER.GSA.GOV
Award Status:	Final	Last Modified Date:	04/15/2010 15:56:44	Last Modified User:	02.GAYLE.SCHUSTER.GSA.GOV
Closed Status:	No	Closed Status Date:		Closed By:	

Document Information

Award ID:	4740	Procurement Identifier	GS02P06DTC0008	Modification No	PAN3	Trans No	0
Referenced IDV ID:							
Reason For Modification:	OTHER ADMINISTRATIVE ACTION						
Solicitation ID:	GS-02P-06-DT-C-0008						
	Agency	Main	Sub	Initiative			
	Identifier	Account	Account				
Treasury Account Symbol:	47	4542	Select One				

Dates	Amounts
Date Signed (mm/dd/yyyy) :	04/15/2010
Effective Date (mm/dd/yyyy) :	04/15/2010
Completion Date (mm/dd/yyyy) :	12/31/2020
Est. Ultimate Completion Date (mm/dd/yyyy) :	12/31/2020

Action Obligation:	Current	Total
	\$1,721.00	\$54,369,592.00
Base And Exercised Options Value:	\$1,721.00	\$54,369,592.00
Base and All Options Value (Total Contract Value):	\$1,721.00	\$54,369,592.00
Fee Paid for Use of IDV:	\$0.00	

Purchaser Information

Contracting Office Agency ID:	4740	Contracting Office Agency Name:	PUBLIC BUILDINGS SERVICE
Contracting Office ID:	DT000	Contracting Office Name:	GSA PBS R2 ACQUISITION MANAGEMENT DIV
Funding Agency ID:	4740	Funding Agency Name:	PUBLIC BUILDINGS SERVICE
Funding Office ID:	DT000	Funding Office Name:	GSA PBS R2 ACQUISITION MANAGEMENT DIV
Foreign Funding:	Not Applicable	Reason For Inter-Agency Contracting:	Select One

Contractor Information

SAM Exception: [Remove Exception](#)

DUNS No:	058917048	Street:	4701 BUCKLEY RD
Contractor Name From Contract:	NORTHLAND ASSOCIATES INCORPORATE	Street2:	
Vendor Name:	NORTHLAND ASSOCIATES INCORPORATE	City:	LIVERPOOL
DBAN:		State:	NY
		Zip:	130883627
		Country:	UNITED STATES
		Phone:	
		Fax No:	
		Congressional District:	NEW YORK 25

Business Category

Organization Type:	
Number of Employees:	100
State of Incorporation:	
Country of Incorporation:	
Annual Revenue:	\$50,000,000

Contract Data

Type of Contract:	Firm Fixed Price
Multiyear Contract:	No
Major Program:	
National Interest Action:	None
Cost Or Pricing Data:	Select One
Purchase Card Used As Payment Method:	No

[Show Details](#)

Uninitialized Action:	No
Performance Based Service Acquisition:	No - Service where PBA is not used.
* FY 2004 and prior; 80% or more specified as performance requirement	
* FY 2005 and later; 50% or more specified as performance requirement	
Contingency Humanitarian Peacekeeping Operation:	Select One
Contract Financing:	Select One
Cost Accounting Standards Clause:	Not Applicable exempt from CAS
Consolidated Contract:	No
Number Of Actions:	1

Legislative Mandates	Principal Place of Performance		
Clinger-Cohen Act:	No	Principal Place Of Performance Code:	State Location Country
Service Contract Act:	Not Applicable		NY USA
Walsh-Healey Act:	Not Applicable	Principal Place Of Performance County Name:	SAINT LAWRENCE
Davis Bacon Act:	Yes	Principal Place Of Performance City Name:	MASSENA
Interagency Contracting Authority:	Not Applicable	Congressional District Place Of Performance:	23
Other Interagency Contracting Statutory Authority:	(1000 characters)	Place Of Performance Zip Code(+4):	13662 - 8013 USPS ZIP Codes

Product Or Service Information

Product/Service Code:	Y111	Description:	CONSTRUCTION OF OFFICE BUILDINGS
Principal NAICS Code:	236220	Description:	COMMERCIAL AND INSTITUTIONAL BUILDING CONSTRU
Bundled Contract:	Not a bundled requirement		
DOD Acquisition Program:	Description:		
Country of Product or Service Origin:	USA	UNITED STATES	
Place of Manufacture:	Select One		
Domestic or Foreign Entity:	Select One		
Recovered Materials/Sustainability:	No Clauses Included and No Sustainability Included		
InfoTech Commercial Item Category:	Select One		
Claimant Program Code:	Description:		
Sea Transportation:	Select One		
GFP Provided Under This Action:	Transaction does not use GFP		
Use Of EPA Designated Products:	Meets Requirements		
Description Of Requirement:	Construction of a New US Land Port of Entry, Massena, NY		
(4000 characters)			

Competition Information

Extent Competed For Referenced IDV:	Full and Open Competition
Extent Competed:	Two Step
Solicitation Procedures:	No set aside used.
Type Of Set Aside:	No Preference used
Evaluated Preference:	Select One
SBIR/STTR:	Select One
Statutory Exception To Fair Opportunity:	Select One
Other Than Full And Open Competition:	Select One
Local Area Set Aside:	No
FedBizOps:	Yes
A76 Action:	No
Commercial Item Acquisition Procedures:	Commercial Item Procedures not used
Number Of Offers Received:	3
Small Business Competitiveness Demonstration Program:	
Commercial Item Test Program:	No
Preference Programs / Other Data	

Contracting Officer's Business Size Selection:

Other than Small Business ▼

Subcontract Plan:

Plan Required - Incentive Not Included ▼

Price Evaluation Percent Difference:

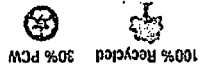
0 %

Reason Not Awarded To Small Disadvantaged Business:

Select One ▼

Reason Not Awarded To Small Business:

Select One ▼





U.S. Land Port of Entry Expansion and Modernization

Alexandria Bay, New York | January 2018



New Progress

- Completed temporary relocation activities on north side of site to accommodate construction of temporary warehouse building that will be located between the existing USDA barn and the Broker's building.
- Expect to complete renovations on or about Feb. 1 of the Broker's building to become the temporary warehouse office space.
- Foundations poured for temporary warehouse building. Delivery of structural steel for pre-engineered metal building began Jan. 4.
- Removed three previously unidentified underground storage tanks from the vicinity of County Rd. 191 and southbound ramp of Interstate 81.
- Stripped and partially graded wetlands mitigation site at Wellesley Island State Park. Site is stabilized for winter and work will resume when the ground thaws in the spring.
- In October 2017, the design team hosted environmental science students from Oswego State University on a tour of the wetlands mitigation site at Wellesley Island State Park.



A view as seen in December 2017 of the port facing southwest. (Courtesy of Revette Studio)

Look ahead

- Expect to issue site acquisition offers to New York State Dept. of Transportation and Jefferson County with estimated six-month approval process.
- Feb. 1 – Estimated completion of Broker's building renovations. CBP employees are scheduled to begin relocating to this office in mid-February.
- Feb. 8 – Backfill work around the foundation for the temporary warehouse to begin.

Project Facts

- **Scope:** Facility-wide modernization and expansion
- **Cost:** \$215 million
- **Congressional appropriations:** Phase 1 funding appropriated in [fiscal year 2016 budget](#). Phase 2 funding of \$133 million is [proposed in the president's fiscal year 2018 budget](#).
- **Contract:** Awarded in June 2017 to Northland-Cianbro Joint Venture

Advisory

Extensive [rock blasting](#), crushing, and removal ongoing since August is beginning to slow down.

Smaller blasts are expected during the winter months and precautionary building evacuations should be minimal.

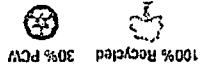


Project estimated timeline

- **April 2018** - Complete demolition of existing warehouse
- **October 2019** - Substantial completion of commercial building
- **November 2019** - Operations to begin in new commercial building and inspection lanes
- **January 2020** - Substantial completion of Phase I
- **March 2020** - Project closeout

For more information

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Cite as: *Size Appeal of Diverse Construction Group, LLC*, SBA No. SIZ-5112 (2010)

REDACTED DECISION FOR PUBLIC RELEASE

**United States Small Business Administration
Office of Hearings and Appeals**

SIZE APPEAL OF:

Diverse Construction Group, LLC

Appellant

Appealed from
Size Determination No. 1-SD-2010-007

SBA No. SIZ-5112

Decided: February 2, 2010

APPEARANCES

Michael J. Schaengold, Esq., Patton Boggs, LLP, for Appellant Diverse Construction Group, LLC.

Walter G. Breakell, Esq., Breakell Law Firm, P.C., for Con Tech Building Systems, Inc.

DECISION

I. Jurisdiction

This appeal is decided under the Small Business Act of 1958, 15 U.S.C. § 631 *et seq.*, and 13 C.F.R. Parts 121 and 134.

II. Issue

Whether the Area Office's determination Appellant was affiliated with another firm due to contractual relations was based upon clear error of fact or law. *See* 13 C.F.R. § 134.314.

III. Background

A. The Solicitation and Protest

On August 11, 2009, the Departments of the Army and the Air Force, National Guard Bureau, issued the subject Solicitation No. W912PQ-09-B-0004 for construction projects at Fort Drum, New York. The Contracting Officer (CO) set the solicitation totally aside for Historically Underutilized Business Zone (HUBZone) small business concerns. The CO designated North American Industry Classification System (NAICS) code 236220, Commercial and Institutional

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Building Construction, with a corresponding \$33.5 million annual receipts size standard, as the appropriate NACIS code for this procurement.¹ Offers were due on September 29, 2009.

At bid opening the low bidder was The Diverse Construction Group, LLC (Appellant). An unsuccessful offeror, Con Tech Building Systems, Inc. (ConTech) filed a timely HUBZone protest. Although this protest was dismissed, it raised points that led the CO to request a formal size determination by the Small Business Administration (SBA) Office of Government Contracting - Area I in New York, New York (Area Office) on October 19, 2009. On that same day, the Area Office initiated the size determination process, notified Appellant of the protest, and requested it to submit a response, together with a completed SBA Form 355 and certain other information.

B. Size Determination No. 1-SD-2010-007

On November 5, 2009, the Area Office issued a size determination finding Appellant other than small.

The Area Office first examined Appellant's proposal for the instant procurement, analyzing its relationships with its subcontractors. The Area Office concluded Appellant was not affiliated with any of its subcontractors under the ostensible subcontractor rule.

The Area Office then found Appellant was 51% owned by Mr. Hunter Grimes and 49% owned by seven other individuals. These seven individuals are all employees of Northland Associates, Inc. (Northland) Appellant's alleged affiliate and a large business. However, none of the seven is a shareholder, officer, director, or key employee of Northland. One is a first cousin of Northland's president. The other minority shareholders have no family or personal relationship with Northland's shareholders. Further, under Appellant's Operating Agreement Mr. Grimes is Appellant's Manager, and has sole and exclusive right to manage the firm's business. Mr. Grimes has never been an officer, director, principal stockholder, managing member, or key employee of Northland. Accordingly, there is no common ownership or common management between the two firms, nor have they common facilities, equipment or employees. Further, Northland has not furnished Appellant with financial assistance, indemnification on bid or performance bonds, and the two firms have never entered into a Joint Venture or Teaming Agreement.

The focus of the Area Office's analysis was the contractual relationships between Appellant and Northland. The Area Office stated there is a rebuttable presumption that firms having identical or substantially identical business or economic interests through contractual or other relationships are affiliated. The presumption may be rebutted with evidence showing that the interests deemed to be one are in fact separate.

¹ The solicitation erroneously listed the size standard as \$34 million, but the SBA Area Office applied the correct \$33.5 million size standard, using its authority to correct a size standard in a solicitation. 13 C.F.R. §§ 121.201, 121.402(d).

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The Area Office found Appellant, as prime contractor, had entered into two subcontracts with Northland for the Department of Veterans Affairs (VA). These subcontracts represented 48.1% and 37.4% of the contract value of these two contracts, for a total of \$[REDACTED] of subcontracts to Northland from Appellant.

The Area Office further found Northland entered into two subcontracts with Appellant in December 2007, totaling \$[REDACTED]. Appellant had no receipts for 2007. Approximately 33% of Appellant's 2008 receipts were derived from Northland. The remainder of Appellant's 2008 receipts were from the VA contracts described above. Thus, all of Appellant's 2008 receipts came from contracts where Northland was Appellant's subcontractor, or Appellant was Northland's subcontractor. Over 50% of Appellant's 2008 receipts not derived from Northland subcontracts were paid to Northland in its capacity as Appellant's subcontractor.

The Area Office found that for 2009 (January 1 to September 30) Appellant had received 5.3% of its total receipts as a subcontractor for Northland. Appellant, acting as a prime has paid 46.8% of its remaining receipts to Northland.

The Area Office found that since its establishment in November, 2007, Appellant has received a total of five contracts. Two of these are subcontracts from Northland and the remaining three are prime contracts from VA. Northland was a subcontractor on two of the VA contracts, and was presented as part of the proposal on one of them. The Area Office concluded that approximately 99% of Appellant's receipts involved Northland, either as prime contractor or subcontractor.

The Area Office concluded that the continuing contractual relationships between Appellant and Northland rendered Appellant dependent upon Northland. Appellant produced no evidence to demonstrate a clear fracture between itself and Northland to rebut the presumption of an identity of interest. The Area Office noted that the two firms were in the same line of business, and seven of Northland's employees held together 49% of Appellant's stock. The Area Office determined, based on the totality of the circumstances, that Appellant was affiliated with Northland, and thus other than small, citing *Size Appeal of Pointe Precision, LLC*, SBA No. SIZ-4466 (2001).

C. The Appeal

On November 24, 2009, Appellant filed the instant appeal. Appellant filed a motion to admit as new evidence a supplemental declaration from Mr. Grimes, arguing that Appellant did not know in advance the specific statistics the Area Office would rely upon, and that the supplemental declaration addresses these statistics. Appellant also requests a protective order and an expedited appeal.

Appellant asserts it is not controlled by Northland, receives no financial or other assistance from Northland, is in no way reliant upon Northland, and is not controlled by

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Northland. There is no common ownership or management, and the firms share no employees. Mr. Grimes has never been employed by Northland.

Appellant has been Northland's subcontractor on two contracts with the General Services Administration (GSA). Appellant's total receipts on these two contracts are \$[REDACTED] against Appellant's total receipts from its establishment to September 30, 2009 of \$[REDACTED]. Thus, Appellant's receipts from Northland represents less 9.5% of its total receipts since the company's inception.

In 2008, Appellant received approximately 33% of its income from Northland subcontracts. The proportion of Appellant's receipts derived from Northland for 2009 is only 5.3%, and it will decline further after that. Appellant's own prime contracts with the VA account for more than 90% of its receipts. While Appellant has used Northland as a subcontractor, it did so in arm's length transactions and was not required to do so. Appellant asserts that by the end of 2009, all the contracts where it is participating with Northland as either a prime or subcontractor will have been performed, and there will be no ongoing work or revenues exchanged between the two concerns. Appellant argues that a challenged firm dependent upon another firm for such a small proportion of its receipts is not affiliated with the other firm due to contractual relations, citing *Size Appeal of Neal R. Gross & Co.*, SBA No, SIZ-3888 (1994).

Appellant asserts the size determination is based upon factual errors. The Area Office stated that approximately 99% of Appellant's receipts were either from Northland or indirectly involved Northland as a subcontractor. Appellant asserts the correct percentage for 2009 is 50.1%, at most, and this will reach 0% by the end of the year. Appellant asserts the size determination erroneously asserted Appellant subcontracted 50.1% of its second VA contract to Northland, when the true figure was 37.4%. On its second prime contract, Appellant dramatically reduced the amount of work it contracted to Northland. The size determination also errs by failing to take into account that Appellant has a number of other first-tier subcontractors in addition to Northland.

While there are a number of cases finding firms affiliated through contractual relationships, in these cases the firms were dependent upon the alleged affiliate for the majority of their receipts, which Appellant is not. Further, in cases such as *Pointe Precision*, there were many more ties between the firms in addition to the contractual relationships.

D. ConTech's Response

On December 9, 2009, ConTech responded to the appeal. ConTech argues that Mr. Grimes's Supplemental Declaration should be excluded, because it contains no new evidence not previously submitted and is merely an attempt to reargue before OHA the case it should have presented to the Area Office. ConTech asserts that of five contracts Appellant has received since its business began, only one, representing approximately 9.5% of its receipts, did not involve Northland as either a prime or a subcontractor. The fact that Northland's share of

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Appellant's receipts is decreasing is irrelevant, as its size must be determined as of the date of its initial offer, including price.

ConTech asserts Appellant has failed to demonstrate a clear fracture between itself and Northland. ConTech further asserts that Appellant is affiliated with Northland due to its contractual relationships. Further, the continuous contractual relationships between Appellant and Northland demonstrate that Appellant is affiliated with Northland under the totality of the circumstances.

IV. Discussion

A. Timeliness

Appellant filed its appeal within 15 days of receiving the size determination. Thus, the appeal is timely. 13 C.F.R. § 134.304(a)(1).

B. Standard of Review

The standard of review for this appeal is whether the Area Office based its size determination upon clear error of fact or law. 13 C.F.R. § 134.314. In evaluating whether there is a clear error of fact or law, OHA does not consider Appellant's size *de novo*. Rather, OHA reviews the record to determine whether the Area Office based its size determination upon a clear error of fact or law. See *Size Appeal of Taylor Consultants, Inc.*, SBA No. SIZ-4775 (2006), for a full discussion of the clear error standard of review. Consequently, I will disturb the Area Office's size determination only if I have a definite and firm conviction the Area Office made key findings of law or fact that are mistaken.

C. Appellant's Motions

Appellant's motion for a Protective Order was GRANTED on January 12, 2010. Appellant's motion for an expedited hearing is DENIED, because Appellant failed to offer compelling reasons for placing its case ahead of other pending appeals, which are similarly situated. As to Appellant's motion to admit new evidence, a review of the Grimes Declaration reveals it is not new evidence as much as argument based on the existing record. It is Mr. Grimes's calculations on the proportion of Appellant's receipts that are dependent upon Northland. As argument, this submission is ADMITTED.

D. The Merits

The issue here is whether Appellant is affiliated with Northland. Seven Northland employees together own a 49% interest in Appellant, although none of them are key employees of Northland, or own an interest in that firm. The two firms have no common ownership, management, employees, equipment, or facilities. Thus, there can be no finding of affiliation between the two firms based upon these grounds.

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The Area Office based its finding of an identity of interest between Appellant and Northland upon the contractual relationships between them. Firms that are economically dependent through contractual relationships may be held to be affiliated. 13 C.F.R. § 121.103(f). However, Appellant has received only two subcontracts from Northland, and these accounted for only 9.5% of Appellant's receipts over the life of the company from 2007 to 2009. The heart of the Area Office's finding is that Appellant's granting subcontracts to Northland on two large contracts where it was the prime contractor created an identity of interest. Based upon this finding, the Area Office finds an identity of interest between the two firms and then finds Appellant has been unable to rebut this identity of interest with evidence of a clear fracture.

It is worth noting that our cases finding affiliation based upon contractual relationships find affiliation based upon a challenged firm's reliance upon its receipt of subcontracts or other receipts from an alleged affiliate. See, e.g., *Size Appeal of L & S Indus. & Marine, Inc.*, SBA No. SIZ-4978 (2008); *Size Appeal of Faison Office Prods., LLC*, SBA No. SIZ-4812 (2006); *Size Appeal of J & R Logging*, SBA No. SIZ-4426 (2001). Further, in these cases, the challenged firms were reliant upon the alleged affiliates for the large majority of their receipts.

In *Size Appeal of Pointe Precision*, SBA No. SIZ-4466 (2001), upon which the Area Office relied, contracts from the alleged affiliate accounted for over 80% of the challenged firm's receipts. In that case OHA held that affiliation under the rule arises where one firm is dependent upon another for contracts and business to such an extent that its economic viability would be in jeopardy without such contracts or business. *Pointe Precision*, at 8-9. Here, however, Appellant is reliant upon Northland for only 9.5% of its receipts. Further, Appellant has only subcontracted less than half the work on two of its prime contracts to Northland. Although it is possible that a firm that consistently subcontracts most of the work on its prime contracts to another firm may be found affiliated with the second firm under the contractual relationships regulation, Appellant has not done so here.

The Area Office erred in finding Appellant dependent on Northland for 99% of its contract receipts. The Area Office reached this calculation by finding Appellant dependent upon Northland for entire contracts when Appellant was the awardee for the prime contract, and had subcontracted only a portion to Northland. This was error because Appellant cannot be dependent upon Northland for a contract awarded directly to Appellant by the Government, even if Northland has received a subcontract for a portion of the work on that contract. Further, it was error to find Appellant dependent upon Northland for contracts where Northland's only connection was as recipient of a subcontract awarded by Appellant, when the portion of the work subcontracted was not so great as to suggest dependency by Appellant.

Appellant is dependent on Northland for only 9.5% of its receipts on two subcontracts, and has granted subcontracts for 48.1% and 37.4% on two of its three other prime contracts. This is simply not a great enough dependency to support a finding of identity of interest based upon contractual relations.

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Accordingly, the Area Office erred in finding affiliation between the two firms based upon an identity of interest. Further, the Area Office erred in requiring Appellant to demonstrate a clear fracture between itself and Northland. The requirement that a firm demonstrate a clear fracture between itself and another firm only arises when the firm must rebut an identity of interest finding already made. *Size Appeal of Blue Cord Constr., Inc.*, SBA No. SIZ-5077 (2009). Because identity of interest was not established to begin with, there was no need for Appellant to demonstrate a clear fracture between itself and Northland.

The Area Office also found Appellant and Northland affiliated under the totality of the circumstances. SBA may find firms affiliated under the totality of the circumstances even where no one factor is sufficient to constitute affiliation. 13 C.F.R. § 121.103(a)(5). SBA may find the firms affiliated under this rule where the interactions between the businesses are so suggestive of reliance as to render the firms affiliates. *Size Appeal of Lance Bailey & Assocs., Inc.*, SBA No. SIZ-4817, at 14 (2006). Although the evidence in the record may not establish affiliation under one of the specific factors enumerated in the regulation, a review of all the factors may lead to a conclusion one business has the power to control the other and, thus, both are affiliated. *Id.*

Here, the ties between Appellant and Northland are these:

1. Seven Northland employees together own 49% of Appellant. These individuals have no ownership interest in Northland, and are not key employees of Northland.
2. Appellant is managed by its 51% owner, Mr. Grimes, who has sole and exclusive right to manage the firm's business, and has no prior connection with Northland.
3. Appellant has received two subcontracts from Northland, which constitute approximately 9.5% of Appellant's receipts to date.
4. Appellant has granted two subcontracts to Northland on contracts where it is the prime contractor. The amounts paid to Northland under these subcontracts represent 48.1% and 37.4% of the value of these contracts.
5. Appellant and Northland have no common ownership, management, facilities, equipment, or employees. Northland has provided Appellant with no financial assistance, indemnification or bonding, and the two firms have never entered into a Joint Venture or Teaming Agreement.

I conclude upon reviewing these ties, or rather, the absence of ties between the firms, that there is simply not enough here to give either Appellant or Northland control or power to control the other. Mr. Grimes has firm control of Appellant's management, Appellant's subcontracts from Northland amount to a relatively small part of its receipts, and its granting of two subcontracts to Northland, a large firm, does not create any dependency by one firm upon the other, especially when there is no showing that Northland is acting as an ostensible subcontractor

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for these contracts. I therefore conclude that the Area Office clearly erred when it found Appellant and Northland affiliated under the totality of the circumstances.

Appellant has thus met its burden of establishing that the Area Office erred in finding Appellant affiliated with Northland under both the identity of interest and the totality of the circumstances rules. I therefore grant the instant appeal and reverse the Area Office's size determination.

V. Conclusion

For the above reasons, I GRANT the instant appeal and REVERSE the Area Office's Size Determination.

This is the final decision of the Small Business Administration. See 13 C.F.R. § 134.316(b).

CHRISTOPHER HOLLEMAN
Administrative Judge

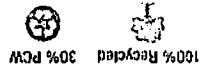


Contract ID	Modification Number	Date Signed	Action Obligation (\$)	Vendor City	Vendor State	Vendor ZIP Code	Global DUNS Number	Global Vendor Name
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VA243C0413	0	9/24/2008	\$0	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	CO1AE	10/27/2008	\$88,300	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA002	11/19/2008	\$0	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA003	12/18/2008	\$1,769	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA006	1/8/2009	\$3,441	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA004	1/9/2009	\$-1,076	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA005	1/9/2009	\$29,970	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA007	1/12/2009	\$0	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA001	1/14/2009	\$33,867	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA008	2/2/2009	\$4,881	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA011	2/9/2009	\$7,765	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA013	2/9/2009	\$62,208	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA016	2/9/2009	\$2,681	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA009	2/19/2009	\$15,603	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
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VA10118384C0031	SA015	4/9/2009	\$2,298	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA017	4/17/2009	\$9,254	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA018	5/14/2009	\$0	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA019	5/22/2009	\$17,413	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA020	5/22/2009	\$2,620	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA021	5/29/2009	\$10,265	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA022	6/5/2009	\$1,419	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
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VA10118384C0031	SA027	6/25/2009	\$1,010	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
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VA10118384C0031	SA026	7/13/2009	\$4,898	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	SA028	8/21/2009	\$4,221	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
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VAS28C0565	1	3/12/2010	\$0	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA10118384C0031	CO01M	3/23/2010	\$347,000	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
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VAS28RA0731	1	5/20/2010	\$3,441	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VAS28C0734	0	5/21/2010	\$2,455,000	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VAS28C0733	0	6/4/2010	\$886,000	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
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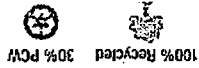
VA101183B4C0031	FC0016	9/24/2010	\$5,555	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
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VA101183B4C0031	SA033	9/24/2010	\$5,543	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA101183B4C0031	SA034	9/24/2010	\$5,372	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
V528C0435	0	9/28/2010	\$6,239	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
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VA243C0413	P00004	11/12/2010	\$51,993	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528C0733	2	1/4/2011	\$50,384	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528RA0731	4	2/10/2011	\$465	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528RA0734	6	3/9/2011	\$6,664	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
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VA528C0837	0	5/13/2011	\$849,000	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528C0873	0	5/26/2011	\$48,206	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528C0852	0	5/27/2011	\$466,000	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528RA0734	8	6/6/2011	-\$1,851	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528RA0734	9	6/6/2011	\$8,659	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528C0894	0	6/9/2011	\$382,556	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528RA0734	10	7/11/2011	\$0	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528RA0734	11	7/11/2011	\$2,505	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA101183B4C0031	CO01N	9/15/2011	\$24,000	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA101183B4C0031	SA038	9/15/2011	\$5,200	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528C0733	5	9/26/2011	\$117,683	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528C0894	A00001	9/30/2011	\$1,886	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA101183B4C0031	SA039	10/5/2011	\$216,206	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528RA0734	P00010	10/28/2011	\$4,665	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528C0733	6	11/30/2011	\$10,695	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912Q011C0011	P00001	12/27/2011	\$140,600	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912PQ09C0045	P00004	1/3/2012	\$0	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528C0852	P00002	2/1/2012	\$0	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528RA0734	P00012	2/8/2012	\$11,512	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912Q011C0011	A00001	2/13/2012	\$25,000	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528RA0734	P00013	2/22/2012	\$9,431	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528C0733	7	3/7/2012	\$0	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528C0733	8	3/26/2012	\$714	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912Q011C0011	A00002	4/9/2012	\$4,754	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912Q011C0011	A00003	4/24/2012	\$26,623	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912Q011C0011	A00004	4/30/2012	\$10,156	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912Q011C0011	A00005	5/14/2012	\$3,542	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528C0834	P00002	5/15/2012	\$14,637	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
1	0	5/30/2012	\$200	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912PQ012D0016	0	5/30/2012	\$0	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528C0837	P00001	6/7/2012	-\$2,404	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912Q011C0011	A00006	6/15/2012	\$41,928	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52812P0563	0	7/9/2012	\$16,222	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52812C0152	0	7/17/2012	\$424,600	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA101183B4C0031	SA040	7/26/2012	\$99,900	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE

VA52812P0749	0	8/22/2012	\$12,500	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52812P1013	0	8/22/2012	\$28,432	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912QR11C0011	A00007	8/31/2012	\$10,499	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912QR11C0011	A00008	9/11/2012	\$10,560	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA24312C0191	0	9/24/2012	\$169,000	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52812C0152	P00001	11/7/2012	\$0	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52812C0152	P00002	11/15/2012	\$7,101	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912QR11C0011	A00009	12/14/2012	\$4,951	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528C0733	P00009	1/3/2013	\$1,495	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912QR11C0011	A00010	1/14/2013	\$8,597	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52812C0152	P00003	1/16/2013	\$4,844	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA243C0413	P00005	1/29/2013	\$29,334	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0033	0	1/29/2013	\$1,618,000	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528C0837	P00002	2/20/2013	-\$35,000	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA528C0852	P00003	3/14/2013	-\$11,296	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813P0712	0	3/22/2013	-\$1,000	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912PQ09C0045	P00005	3/28/2013	\$58,385	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912QR11C0011	A00011	4/11/2013	\$30,000	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0075	0	4/25/2013	\$1,839,323	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0088	0	4/26/2013	\$175,700	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA243C0413	P00006	5/22/2013	\$96,772	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA101183B4C0031	P00002	6/19/2013	\$14,337	REDWOOD	NY	136794186	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0033	P00001	7/3/2013	\$35,000	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0033	P00003	9/10/2013	\$0	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0075	P00001	9/20/2013	\$59,544	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0088	P00001	9/25/2013	\$10,967	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
DTSL5513CC0893	0	9/30/2013	\$1,115,266	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912QR11C0011	A00012	11/6/2013	\$150,000	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0033	P00002	12/4/2013	-\$1,901	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912QR11C0011	A00013	12/5/2013	\$60,000	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0075	P00002	2/13/2014	\$14,909	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
DTSL5513CC0893	1	3/31/2014	\$0	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912PQ12D0016	P00001	4/2/2014	\$0	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0033	P00004	4/8/2014	\$0	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0033	P00006	4/28/2014	\$4,433	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0033	P00005	6/5/2014	\$320,000	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0075	P00003	7/7/2014	\$67,448	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0075	P00004	7/28/2014	\$50,135	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
DTSL5513CC0893	2	7/29/2014	\$13,178	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912QR11C0011	A00014	8/7/2014	\$13,508	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0075	P00005	8/21/2014	\$37,150	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0075	P00006	8/27/2014	-\$510	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0091	0	9/12/2014	\$5,520,000	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0033	P00009	11/7/2014	\$11,476	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0075	P00007	11/14/2014	\$34,216	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
DTSL5513CC0893	3	12/10/2014	\$0	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0075	P00008	12/16/2014	\$103,252	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0033	P00010	12/19/2014	\$2,140	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0033	P00011	12/22/2014	\$14,952	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
W912PQ12D0016	P00002	4/1/2015	\$0	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0075	P00009	4/8/2015	\$0	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0075	P00010	10/1/2015	-\$4,369	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VA52813C0033	P00012	10/20/2015	\$5,430	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE

VAS2814CD091	P00001	7/16/2017	\$54,387	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VAS2814CD091	P00002	10/25/2017	\$236,706	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VAS2814CD091	P00003	11/20/2017	\$0	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE
VAS2814CD091	P00004	3/20/2018	\$286,387	PLESSIS	NY	136752227	808547660	DIVERSE CONSTRUCTION GROUP LLC THE



[illegible]



22222		Employee's social security number		OMB No. 1545-0008	
b Employer identification number (EIN)		161186414			
c Employer's name, address, and ZIP code		NORTHLAND ASSOCIATES, INC P O BOX 2549 SYRACUSE, NY 13220			
d Control number		1 Wages, tips, other compensation 22360.57			
e Employee's name, address, city and ZIP code		3 Social security wages 22360.57		2 Federal income tax withheld 219.95	
JAMES C HOHM Suff.		5 Medicare wages and tips 22360.57		4 Social security tax withheld 1556.45	
1734 WHITING ROAD MEMPHIS, NY 13112		7 Social security tips		6 Medicare tax withheld 324.24	
15 State Employer's state ID number		9 Advance EIC payment		8 Allocated tips	
NY 16-1186414		11 Nonqualified plans		10 Dependent care benefits	
16 State wages, tips, etc. 22360.57		13 Salaried employee <input type="checkbox"/> Part-time <input type="checkbox"/> Third party <input type="checkbox"/>		12a See instructions for box 12	
17 State income tax 707.93		14 Other SDI 16.80		12b	
18 Local wages, tips, etc.		19 Local income tax		12c	
20 Locality name				12d	

Form **W-2** Wage and Tax Statement

Copy 1—For State, City, or Local Tax Department
Copy D—For Employer.

2009

Department of the Treasury—Internal Revenue Service
For Privacy Act and Paperwork Reduction Act Notice, see the back of Copy D.

Employee's social security number		OMB No. 1545-0008	
b Employer identification number (EIN)		26-1422906	
c Employer's name, address, and ZIP code		THE DIVERSE CONSTRUCTION GROUP P.O. BOX 550 ALEXANDRIA BAY, NY 13607	
d Control number		1 Wages, tips, other compensation 12620.56	
e Employee's name, address, city and ZIP code		3 Social security wages 12620.56	
JAMES C HOHM Suff.		5 Medicare wages and tips 12620.56	
1734 WHITING RD. MEMPHIS, NY 13112		7 Social security tips	
15 State Employer's state ID number		9 Advance EIC payment	
NY 26-1422906		11 Nonqualified plans	
16 State wages, tips, etc. 12620.56		13 Salaried employee <input type="checkbox"/> Part-time <input type="checkbox"/> Third party <input type="checkbox"/>	
17 State income tax 535.18		14 Other SDI 7.80	
18 Local wages, tips, etc.		19 Local income tax	
20 Locality name			

New York State Department of Taxation and Finance

Summary of W-2 Statements

New York State • New York City • Yonkers

2010

IT-2

Do not detach or separate the W-2 Records below. File Form IT-2 as an entire page. See instructions on the back.

Taxpayer's first name and middle initial Taxpayer's last name

JAMES

C HOHM

▼ Your social security number

XXX-XX-XXXX

Spouse's first name and middle initial

Spouse's last name

▼ Spouse's social security number

**W-2
Record 1**

Box c Employer's name and full address (including ZIP code)

NORTHLAND ASSOCIATES INC

PO BOX 2549

SYRACUSE

NY 13220

Box b Employer identification number (EIN)

XX-XXXXXXX

Box 12a Amount

▼ Code

Box 15 State

NY

Box 16 State wages, tips, etc. (for NYS)

19,143.

This W-2 record is for
(mark an X in one box):

Taxpayer X Spouse

Box 12b Amount

▼ Code

Box 17 New York State income tax withheld

179.

Box 12c Amount

▼ Code

Box 18 Local wages, tips, etc. (see instr.)

Box 1 Wages, tips, other compensation
19,143.

Box 12d Amount

▼ Code

Locality a

Locality b

Box 8 Allocated tips

Box 13 Statutory employee

▼ Code

Locality a

Locality b

Box 19 Local income tax withheld

Box 9 Advance EIC payment

Box 14a Amount

▼ Description

Box 20 Locality name

Box 10 Dependent care benefits

Box 14b Amount

▼ Description

Locality a

Locality b

Box 11 Nonqualified plans

Box 14c Amount

▼ Description

Corrected (W-2c)

Do not detach.

**W-2
Record 2**

Box c Employer's name and full address (including ZIP code)

THE DIVERSE CONSTRUCTION GP

PO BOX 550

ALEXANDRIA BAY

NY 13607

Box b Employer identification number (EIN)

XX-XXXXXXX

Box 12a Amount

▼ Code

Box 15 State

NY

Box 16 State wages, tips, etc. (for NYS)

10,444.

This W-2 record is for
(mark an X in one box):

Taxpayer X Spouse

Box 12b Amount

▼ Code

Box 17 New York State income tax withheld

234.

Box 12c Amount

▼ Code

Box 18 Local wages, tips, etc. (see instr.)

Box 1 Wages, tips, other compensation
10,444.

Box 12d Amount

▼ Code

Locality a

Locality b

Box 8 Allocated tips

Box 13 Statutory employee

▼ Code

Locality a

Locality b

Box 19 Local income tax withheld

Box 9 Advance EIC payment

Box 14a Amount

▼ Description

Box 20 Locality name

Box 10 Dependent care benefits

Box 14b Amount

▼ Description

Locality a

Locality b

Box 11 Nonqualified plans

Box 14c Amount

▼ Description

Corrected (W-2c)

Please file this original scannable form with the Tax Department. If you or your paid preparer use software to produce this form, it might have a two-dimensional (2-D) barcode on the bottom of this page. It will appear as a rectangular-shaped object with very small black boxes and white spaces. This barcode will be used to efficiently process your entries on this form.

1021101015



Form **W-2 Wage and Tax Statement**
 Copy 1—For State, City, or Local Tax Department
 Copy D—For Employer.
 Department of the Treasury—Internal Revenue Service
 For Privacy Act and Paperwork Reduction Act Notice, see separate instructions.

2012	
15 State	Employer's state ID number NY 26-1422906
16 State wages, tips, etc.	7937.05
17 State income tax	232.01
18 Local wages, tips, etc.	
19 Local income tax	
20 Locality name	
a Employer's name, address, city, and ZIP code JAMES C HOHM 1734 WHITING RD. MEMPHIS, NY 13112	
b Employer identification number (EIN) 26-1422906	
c Employer's name, address, and ZIP code THE DIVERSE CONSTRUCTION GROUP P.O. BOX 550 ALEXANDRIA BAY, NY 13607	
d Control number	
e	
1 Wages, tips, other compensation	7660.21
2 Federal income tax withheld	268.80
3 Social security wages	7660.21
4 Social security tax withheld	321.75
5 Medicare wages and tips	7660.21
6 Medicare tax withheld	119.08
7 Social security tips	
8 Allocated tips	
9	
10 Dependent care benefits	
11 Nonqualified plans	
12a See instructions for box 12	
12b	
13	
14 Other	
15	
16	
17	
18	
19	
20	

Form **W-2 Wage and Tax Statement**
 Copy 1—For State, City, or Local Tax Department
 Copy D—For Employer.
 Department of the Treasury—Internal Revenue Service
 For Privacy Act and Paperwork Reduction Act Notice, see separate instructions.

2012	
15 State	Employer's state ID number NY 16-1186414
16 State wages, tips, etc.	14066.01
17 State income tax	284.70
18 Local wages, tips, etc.	
19 Local income tax	
20 Locality name	
a Employer's name, address, city, and ZIP code JAMES C HOHM 1734 WHITING ROAD MEMPHIS, NY 13112	
b Employer identification number (EIN) 161186414	
c Employer's name, address, and ZIP code JDS CONSTRUCTION DIV. OF NORTH P O BOX 3618 SYRACUSE, NY 13220	
d Control number	
e	
1 Wages, tips, other compensation	13928.51
2 Federal income tax withheld	91.09
3 Social security wages	13928.51
4 Social security tax withheld	584.99
5 Medicare wages and tips	13928.51
6 Medicare tax withheld	201.96
7 Social security tips	
8 Allocated tips	
9	
10 Dependent care benefits	
11 Nonqualified plans	
12a See instructions for box 12	
12b	
13	
14 Other	
15	
16	
17	
18	
19	
20	

a Employee's social security number		Safe, accurate, FASTI Use		Visit the IRS website at www.irs.gov/efile	
b Employer identification number (EIN) 161186414		OMB No. 1545-0008		e-file	
c Employer's name, address, and ZIP code JDS CONSTRUCTION DIV. OF NORTH P O BOX 3618 SYRACUSE, NY 13220		1 Wages, tips, other compensation 39252.38	2 Federal income tax withheld 4963.10		
		3 Social security wages 39252.38	4 Social security tax withheld 2433.65		
		5 Medicare wages and tips 39252.38	6 Medicare tax withheld 569.16		
		7 Social security tips	8 Allocated tips		
d Control number		9	10 Dependent care benefits		
e Employee's name, address, city, and ZIP code JAMES C HOHM 1734 WHITING ROAD MEMPHIS, NY 13112		11 Nonqualified plans	12a See instructions for box 12 W 875.00		
		13 Statutory employee <input type="checkbox"/> Retirement plan <input type="checkbox"/> Third-party sick pay <input type="checkbox"/>	12b		
		14 Other SDI 23.40	12c		
			12d		
15 State Employer's state ID number NY 16-1186414	16 State wages, tips, etc. 39252.38	17 State income tax 1033.42	18 Local wages, tips, etc.	19 Local income tax	20 Locality name

Form W-2 Wage and Tax Statement 2013 Department of the Treasury—Internal Revenue Service

Copy B—To Be Filed With Employee's FEDERAL Tax Return.
This information is being furnished to the Internal Revenue Service.

LW2B 5202

a Employee's social security number		Safe, accurate, FASTI Use		Visit the IRS website at www.irs.gov/efile	
b Employer identification number (EIN) 26-1422906		OMB No. 1545-0008		e-file	
c Employer's name, address, and ZIP code THE DIVERSE CONSTRUCTION GROUP P.O. BOX 550 ALEXANDRIA BAY, NY 13607		1 Wages, tips, other compensation 3231.09	2 Federal income tax withheld 175.82		
		3 Social security wages 3231.09	4 Social security tax withheld 200.33		
		5 Medicare wages and tips 3231.09	6 Medicare tax withheld 46.86		
		7 Social security tips	8 Allocated tips		
d Control number		9	10 Dependent care benefits		
e Employee's name, address, city, and ZIP code JAMES C HOHM 734 WHITING RD. MEMPHIS, NY 12		11 Nonqualified plans	12a See instructions for box 12		
		13 Statutory employee <input type="checkbox"/> Retirement plan <input type="checkbox"/> Third-party sick pay <input type="checkbox"/>	12b		
		14 Other SDI 1.80	12c		
			12d		
15 State Employer's state ID number 1422906	16 State wages, tips, etc. 3231.09	17 State income tax 138.86	18 Local wages, tips, etc.	19 Local income tax	20 Locality name

Wage and Tax Statement 2013 Department of the Treasury—Internal Revenue Service

Copy B—To Be Filed With Employee's FEDERAL Tax Return.
This information is being furnished to the Internal Revenue Service.

LW2B 5202